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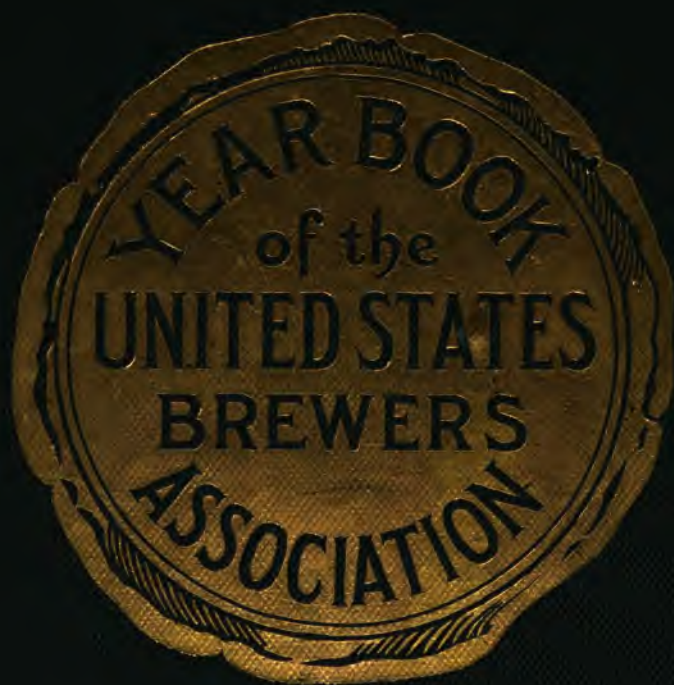
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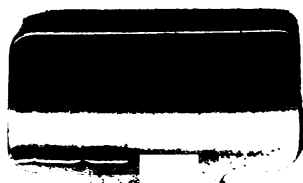
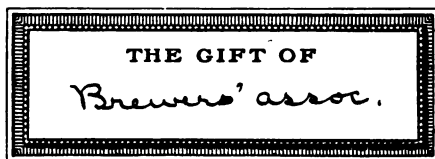
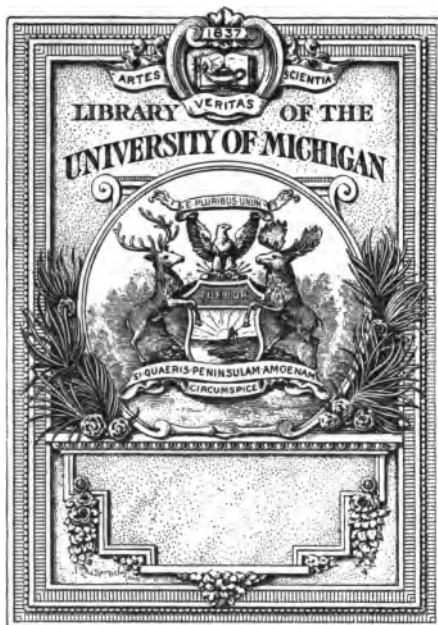
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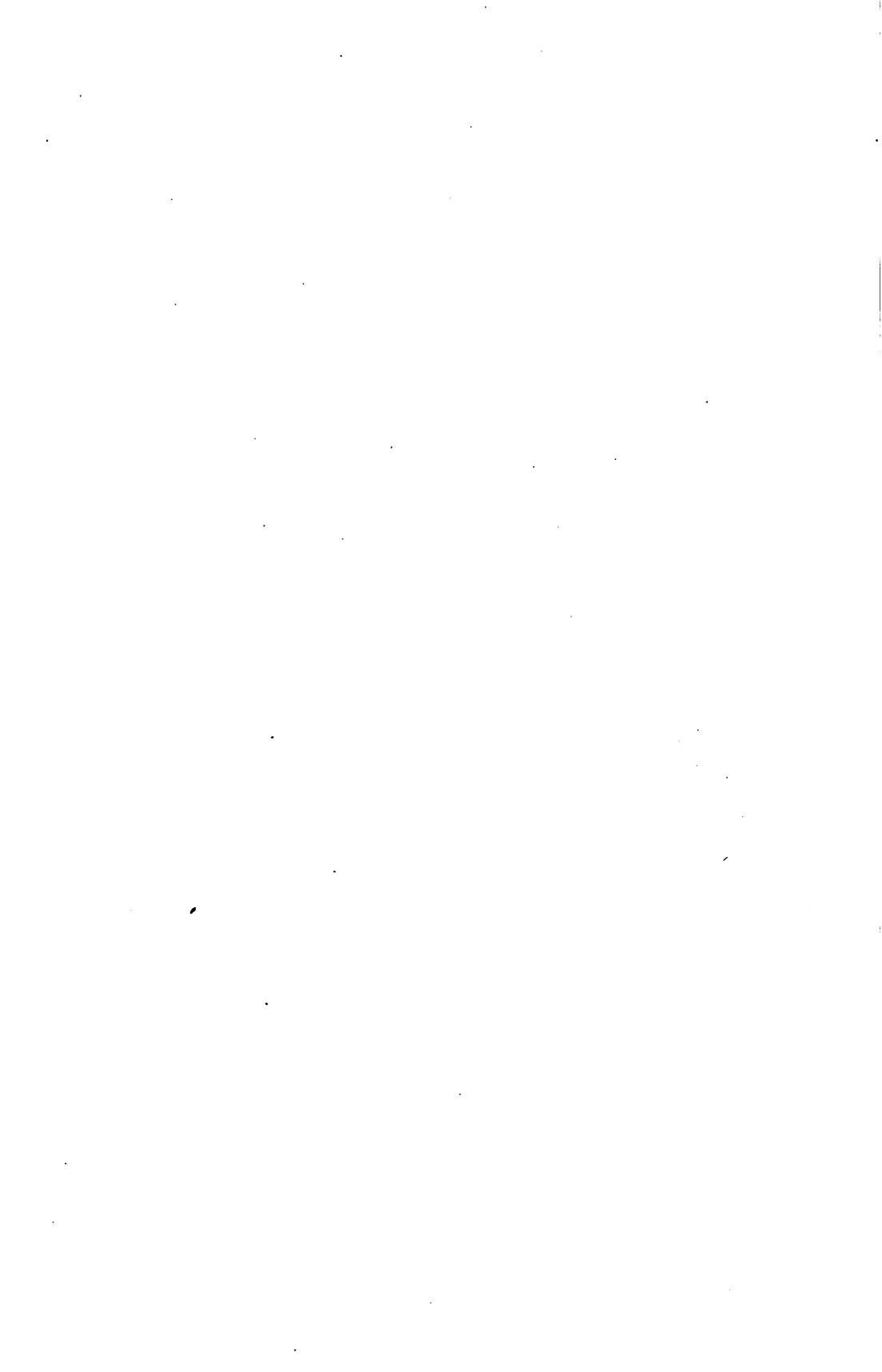
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THE
YEAR BOOK

OF THE

United States Brewers' Association

INCLUDING A STUDY OF LOCAL OPTION
IN OHIO, INDIANA, MICHIGAN
AND MASSACHUSETTS

THE UNITED STATES BREWERS' ASSOCIATION
PUBLISHERS
NEW YORK
1910

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CONTENTS

PREFACE.....	PAGE 7
--------------	--------

OFFICERS UNITED STATES BREWERS' ASSOCIATION	9-11
---	------

A STUDY OF LOCAL OPTION.

DEVELOPMENT OF LOCAL OPTION PRIOR TO 1900.....	13-23
COUNTY LOCAL OPTION IN OHIO.....	24-50
LICKING COUNTY.....	26-28
MUSKINGUM COUNTY.....	28-31
TUSCARAWAS COUNTY.....	31-34
COLUMBIANA COUNTY.....	34-38
SCIOTO COUNTY.....	38-41
JEFFERSON COUNTY.....	41-43
CLINTON COUNTY.....	43
EFFECT OF LOCAL PROHIBITION UPON OHIO TAX RATES	43-50
COUNTY LOCAL OPTION IN MICHIGAN.....	51-76
OAKLAND COUNTY.....	54-57
GENESEE COUNTY.....	57-61
MIDLAND COUNTY.....	61-63
OSCEOLA COUNTY.....	63-65
WEXFORD COUNTY.....	65-67
CLINTON COUNTY.....	67-70
JACKSON COUNTY.....	70-73
VAN BUREN COUNTY.....	73-76
INDIANA.....	77-95
MADISON COUNTY.....	79-84
GRANT COUNTY.....	84-87
DELAWARE COUNTY.....	87-90
SULLIVAN COUNTY.....	90-92
CLAY COUNTY.....	92-94
MORGAN COUNTY.....	94-95

U.S. Brewers Association 6-13-109.

LOCAL OPTION IN MASSACHUSETTS.....	96-123
STATUS OF MASSACHUSETTS CITIES.....	94
NO-LICENSE SENTIMENT.....	101-105
NO-LICENSE IN TOWNS.....	105-108
ENFORCEMENT OF LOCAL PROHIBITION.....	108-117
SOCIAL RESULTS OF NO-LICENSE.....	117-123
CONCLUSIONS.....	124-131
THE CLEAN-UP MOVEMENT.....	132-147
OHIO OFFICIALS ENDORSE THE WORK.....	136-142
UNPLEASANT BUT WHOLESOME.....	142-144
THE WORK IN OTHER STATES.....	144-147
LIQUOR LEGISLATION OF 1909.....	148-169
IDAHO.....	148-149
IOWA.....	149-150
MICHIGAN.....	150-153
MISSOURI.....	153-154
NEBRASKA.....	154-155
OHIO.....	155
MINNESOTA.....	156-157
NORTH DAKOTA.....	157-159
TEXAS.....	159-165
WASHINGTON.....	165-169
CURRENT LITERATURE ON LIQUOR QUESTION.....	170-184
MAINE FACES BITTER FACTS.....	171-178
THE NEW WOMAN AND TEMPERANCE.....	178-179
PROHIBITION AND CHRISTIAN ETHICS.....	179-184
PROHIBITION IN SOUTHERN AND OTHER STATES.....	184-224
PROHIBITION IN GEORGIA.....	185-190
PROHIBITION IN MISSISSIPPI.....	190-197
PROHIBITION IN ALABAMA.....	197-203
PROHIBITION IN KANSAS.....	203-218
PROHIBITION IN OKLAHOMA.....	218-219
PROHIBITION IN NORTH DAKOTA.....	219-224
A CLERGYMAN ON PROHIBITION.....	225-230

SOME PHYSIOLOGICAL ASPECTS OF ALCOHOL.....	231-239
"THE ACTION OF ALCOHOL," PROF. A. R. CUSHNEY.....	231-235
COMMENTS ON SAME, DR. T. CLAYE SHAW.....	235
COMMENTS ON SAME, DR. HARRY CAMPBELL.....	235-236
"MODERATE USE OF ALCOHOL," DR. T. CLAYE SHAW.....	236-239
ALCOHOL IN RELATION TO LIFE.....	240-248
ABSTAINERS AND NON-ABSTAINERS IN LIFE ASSURANCE	249-259
THE SALOON A SOCIAL INSTITUTION.....	260-270
WHAT THE SALOON REALLY IS.....	262-263
AS TO SUBSTITUTES.....	264-265
WHY THE SALOON PERSISTS.....	265-269
NO SUBSTITUTE FOR THE SALOON.....	269-270
PROSPERITY OF THE BREWING INDUSTRY.....	271-281
BEER PRODUCTION AND OTHER TRADE STATISTICS.....	282-302



P R E F A C E

THE purpose of publishing this Year Book is to present reliable information in regard to the beer business and to elucidate certain aspects of the liquor question for the benefit of the public. It is not put forward as a special plea; the various matters in controversy have been looked at squarely, and a careful effort has been made to avoid colored or partisan statements. Thoughtful men in all kinds of commerce have come to realize that, in so far as their business is a matter of public concern, they must deal with the public in a spirit of absolute truth and candor. It is in such a spirit that we offer the study of the workings of "Local Option" laws, which is a feature of our Year Book for 1910. The investigation upon which this study is based was entrusted to men of experience in social research, who undertook it as a purely professional piece of work, without being informed of the use to which it would be put or by whom they were employed. They were simply told to get the facts and that each was only one of several investigators whose individual findings would be a check, one upon another. While the inquiry may not, however, be sufficiently complete to warrant absolutely conclusive deductions in every respect, it certainly justifies the cautious interpretation which is here submitted and casts serious doubt upon the whole system of Local Option, as it is carried out at the present time and under existing laws.

For the rest, the Year Book is mainly a review of the magazine articles of the past year in regard to the liquor business, and a digest of important new legislation. There is such an amazing mass of literature upon the various aspects of the liquor problem that it is necessary to make a discriminating selection of the material, or the Year Book would be expanded into a library. Our Year Book of 1909 dealt particularly with the Social Aspects of the drink question, with special chapters on "Arrests for Drunkenness," "Poverty and Drink," "Crime and Drink," "Insanity and Drink," "Mortality and Alcoholism" and "Prosperity and Prohibition." These chapters appear to have been generally accepted by thoughtful and well informed people, especially those engaged in social welfare work, as a fair and reliable statement of the abuse of alcoholic liquors among the dependent, defective and delinquent classes. The new data of the past year merely confirm these statements, and it is not necessary, therefore, to repeat them.

The misuse of statistics in support of Prohibition and the sensational inaccuracies of the school text-books in regard to alcohol have been so severely criticized by leading educators that it would be superfluous to do more than call attention to them here. Very little that is new and true has been written on the "Physiological Aspects of the Liquor Problem" since the publication of the report of the sub-committee of the Committee of Fifty on this subject in 1903. We have included a suggestive chapter on the subject, summarizing a recent important discussion of the British Society for the Study of Inebriety.



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A STUDY OF LOCAL OPTION.

THE DEVELOPMENT OF LOCAL OPTION LEGISLATION PRIOR TO THE YEAR 1900.

No phase of the present anti-liquor agitation is so significant as the effort to spread prohibition through the exercise of the local option privileges. Not even the recent victories for State-wide prohibition overshadow it. So far general prohibition has been achieved in States which are preëminently rural in character. Whether all of them will perpetuate this legislation is open to doubt. Past history has shown that a State may go on suffering the condition of having its fundamental laws grossly and openly violated; but one can safely assume that public sentiment will not permit this outrage to continue indefinitely. And as enforcement proves impossible, a return of some prohibition States to license may confidently be looked for.

But local option is certain to remain a constant principle in liquor legislation, and it is being used more and more as the means whereby to make "dry," or as dry as possible, States in which general prohibition seems unattainable at the present time. Notable among such States are those east of the Mississippi with many and large urban centers. The cry is to capture such cities one by one until each State can be laid under the ban of prohibition. Since it is evident that municipalities are not easily persuaded to give a majority for no-license, the expedient has been adopted of forcing prohibition upon them by aid of an extra-municipal vote through the device of county local option. In other words, the local option legislation now to the fore is not designed to permit a free expression of the sentiment of the local community but to overthrow it where need be. This happens when the majority given for license by a municipality at an election is nullified by a majority of rural votes in favor of local prohibition.

Such use of the local option principle was not contemplated in the early legislation. It is a perversion of the original idea, which was to permit the local community an unhindered expression

of its will in the matter of legalizing or prohibiting the sale of liquor. This a hurried sketch of the development of local option legislation will make clear.

For the germ of local option legislation one has to go back to the year 1829, when the selectmen of each town in the State of Maine were authorized to decide whether or not liquor selling should be permitted. This indirect method of deciding the issue soon ceased to have a legal warrant. The real beginnings of local option legislation date back to the eighties when the experiments with State-wide prohibition had become thoroughly discredited. It was the one thing saved from the prohibition wreck. Experience had shown that, although general prohibition has everywhere been disregarded or evaded in the large urban centers, and that this had led to a condition of things that was fraught with serious menace to true progress, the law was nevertheless capable of enforcement in the rural districts and small towns. It therefore seemed natural to provide such places an opportunity to remain under prohibition. Hence local option laws. It is worthy of note, however, that even while lacking any warrant in law, not a few communities had undertaken to exclude the liquor traffic and did it successfully. They were, of course, strictly rural communities.

Massachusetts led the way in 1881 with the first full-fledged local option law, which ever since has been in force. The legislation of another State may antedate it, but was not operative. It is, however, not the purpose here to trace the spread and historical growth of local option legislation in the different States, but rather to show the conditions brought about under local option some time prior to the advent of the present temperance wave.

By the year 1900 there were seventeen States in which local option could legally be exercised by direct popular vote applicable to all localities; six had local option by direct popular vote applicable to special localities or rural districts only; nine States had direct local option through discretionary power vested in city councils and other local governing bodies; and in five States there existed the right of vote by remonstrance and by provisions requiring the consent of legal voters, property holders, etc.

It is hardly conceivable that local option should have obtained so wide a recognition unless it in a measure had justified itself in the particular areas to which it had been applied. Undoubtedly,

through the exercise of local option the sale of liquor had been suppressed over wide areas; and for the greater part it had not been accompanied by the demoralization attendant upon efforts to compel State-wide prohibition.

The important question, however, is: How far had local option succeeded? Had it accomplished what general prohibition failed to? Had it banished liquor selling from the populous centers, the cities and towns?

All evidence points to one answer: Except where communities under local prohibition have a sufficient safety valve in adjacent places under license, the local veto of the liquor traffic had only been effective outside the larger towns and cities. In other words in the same manner as State-wide prohibition, local option proved a success only in the sparsely peopled rural districts and in small towns.

It is worth while to examine somewhat in detail what success had attended the local option experiments up to the year 1900. First, the group of States shall be taken up in their alphabetical order in which general local option prevailed and all localities both urban and rural were permitted to decide the question for themselves through direct popular vote.

ARKANSAS.

The local option law provided for elections by counties. Moreover, by special acts liquor selling was prohibited in certain localities, and municipalities had conferred on them a little-used right to suppress saloons. By 1900 there were 49 counties under license and 26 which had voted "dry." Of the license counties, however, some were partially dry under the operation of a township law. Although not far from one-half of the State was regarded as under prohibition, there was not a town or city of any size in the whole no-license area. In other words, there were only ten towns in all the dry counties which had a population of over 1,000 or more, the largest being rated as having less than 3,000 inhabitants. Local prohibition in Arkansas was thus simply confined to rural districts most of which contained a sparse population.

CONNECTICUT.

When the State finally had concluded its experiment with general prohibition, it had left as heritage a local option law per-

mitting a vote on the license question at the annual town meetings, upon petition of twenty-five legal voters. The possible effect of local prohibition was more or less nullified by the provision for the appointment in "dry" towns of agents for the sale of liquor for certain purposes—medicinal, sacramental, etc. In 1900 out of 168 towns, 90 were legally under prohibition, but among them was not a single one classified as a city! In fact, they were all small towns. No less than 37 of them had less than 1,000 inhabitants; 20 had less than 1,500 inhabitants; 14 less than 2,000 inhabitants; 15 less than 3,500 inhabitants, etc.; and only three had from 5,500 to 7,000 inhabitants. Again, the experiment had only commended itself as of practical usefulness in rural places and the small towns. It had not become the fixed policy of a single populous center.

FLORIDA.

A constitutional provision existed which gave each county an opportunity to vote upon the question of license or no-license once in two years upon the application of one-fourth of the registered voters of any county. The conditions were somewhat mixed as to the effect of this law as the high license fees in some thinly settled counties operated as prohibitive. In consequence, there were no less than 11 counties in which no licenses were granted, although no local option vote had been taken. A list of the prohibition towns in 1900 shows that the largest of them had less than 3,000 inhabitants. So far as local prohibition had been applied it was, therefore, purely a rural experiment.

GEORGIA.

Before adopting the recent State-wide prohibition, Georgia had a general local option law under which a direct vote might be taken in any county upon the application of one-tenth of the legal voters, once in two years. There were, moreover, special laws affecting certain specified areas; and some incorporated places had by the Legislature been given powers of local self-government in the matter of licenses. In 1899 no less than 100 of the 137 counties were regarded as under local prohibition, but out of these 100, not one includes a single important town. In fact, among all the prohibition towns in Georgia at that time, there were only two with a population of more than 3,500. Thus, in Georgia, if local

option can be said to have operated successfully, it did so almost exclusively in the rural communities.

KENTUCKY.

Prior to 1891 many special local laws limiting or prohibiting the liquor traffic in certain localities were passed by the Legislature. Special laws were even passed for legalizing local option elections, but in 1891 a constitutional provision was adopted providing for a vote by any county, city, town or precinct upon application of 25 per cent. of the votes cast at the last preceding election. The real extent of no-license territory won by this method in Kentucky was very difficult to ascertain. By 1900, 30 counties were reported as under local prohibition and 25 as partly under local prohibition; 22 as under license; and from quite a number no reports were available.

One thing is certain, however, that the counties reported as under local prohibition, no matter what the real status of enforcement may have been, were almost exclusively rural in character. They contained only nine towns which had more than 1,000 inhabitants each, and four of these had less than 1,500.

LOUISIANA.

The local authorities had exclusive power to grant or withhold licenses within their respective domains, as a majority of the legal voters in any city, police ward or parish or town might determine by ballot, such ballot being taken whenever deemed necessary by the authorities. Of the 14 parishes (corresponding to what elsewhere we know as counties) in which local prohibition had been enacted by the year 1900, there were only three towns whose individual population exceeded 1,000, the largest having a population of 1,500. The experiment in Louisiana had thus never gone beyond the rural districts.

MICHIGAN.

The county local option act provided for elections to be held not oftener than one in two years upon the application of not less than one-third of the qualified electors. At the beginning of 1900 only a single county, namely, that of Van Buren, had taken advantage of the law; and this, as will be shown later, is a county

without any towns of importance, the largest not having more than 2,000 inhabitants at the time under consideration.

MISSISSIPPI.

Before adopting general prohibition the State had a law permitting a vote to be taken on the licensing question by counties, upon the application of only one-third of the qualified voters. Furthermore, the mayor and aldermen of every city and town might enact ordinances prohibiting the open sale of intoxicants. No license could be granted in any city, town or village in which a majority of the qualified voters had petitioned the authorities not to grant such a license. Although it was stated that at the end of 1899 Mississippi was a dry State, the fact is that the towns under license included all towns in the State of even moderate size. The State is especially noteworthy for the almost exclusively rural character of its population, there being at the time under consideration only ten towns having a population of more than 3,000.

MISSOURI.

While the State had passed a local option law as early as in 1887, providing for elections to be held in counties and cities of 2,500 inhabitants upon the petition of one-tenth of the qualified voters, the law can hardly be said to have become generally operative. Harrison County, which had only one town, with a population of less than 1,500; and Madison County, whose largest town numbered less than 1,000 inhabitants at the time under consideration, were the only ones which had taken advantage of the law. Thus, Missouri does not furnish evidence one way or the other of the results of local prohibition.

MONTANA.

In this State also the local option law, although a part of the statutes of the State, was wholly inoperative. It was provided in 1895 by legislative act that on the petition of one-third of the qualified voters of any county an election should be held to decide whether liquor should be sold within the limits of the county during the ensuing two years. By 1900 there was not a single town in Montana in which the sale of liquor had been put under the ban.

NORTH CAROLINA.

Like several other Southern States, North Carolina had secured considerable prohibition territory by special local acts. But there was also a local option law under which a vote could be taken in any year upon petition of one-fourth of the qualified voters of any county, town or township. In 1900 the official returns showed that there were 36 no-license counties in the State, but all were thinly populated, as may be seen from the fact that they contained only ten towns; and of these, five had less than 1,500 inhabitants; one, 1,700; one, 1,900; two, 2,000; and one, 4,000. Here again the experiment of local prohibition had been applied chiefly to rural districts.

RHODE ISLAND.

The law permitted a popular vote on the question of license at any general election on the request of 15 per cent. (in cities 10 per cent.) of the votes cast at the last preceding general election, the votes being taken by towns and cities. According to the official State manual, there were at the close of the year 1899, 16 no-license towns and cities out of a total of 38. Of these but three had a population in excess of 3,000, the largest having less than 8,000 inhabitants. In each instance prohibition towns of any magnitude were contiguous to territory under license. It may, therefore, be truly said that no-license had only been tried in small places and rural districts.

SOUTH DAKOTA.

After having tried general prohibition and discarded it, the State adopted the principle of local option and provided by legislation for annual elections on the subject in any township, town or city, upon petition of 25 legal voters. The law was taken advantage of only in isolated instances; and as the State was, as it is now, of distinctly rural character, with only one town having a population of about 4,000, any test of local prohibition generally, much less of its value in population centers, was out of the question.

TEXAS.

Under the law, elections could be held on the license question in any city, county, town, or district, whenever it was deemed

expedient by the County Commissioners, or was demanded by 200 voters in a county or 50 voters in any city, town, or precinct; but elections could not be held oftener than once in two years. It was popularly held that one-half of the State was under local prohibition in 1900. But, in truth, only about one-fifth of the organized counties of the State were wholly under prohibition by local option, and the prohibition areas, without exception, contained very sparse populations. Of some 11 towns mentioned as the most prominent ones under prohibition, there were only six that had a population of 1,000 each, and the largest of them had less than 3,000 inhabitants. Of five prohibition counties existing at that time, only one had a town with a population of 1,000.

VIRGINIA.

In addition to numerous special acts which had been passed prohibiting the sale of liquor in certain localities, the law gave counties, magisterial districts, and cities, the right to decide by popular vote, not oftener than once in two years, and upon the application of one-fourth of the persons voting at the last preceding election, whether licenses should be granted or not. As a result of this law, local prohibition was enacted in a large number of rural districts. Thus, no less than 211 out of 429 magisterial districts were reported as under prohibition. But here also the local prohibition area was purely rural, for only two no-license towns were of any importance whatsoever, the larger having a population of 1,650, and the smaller a population of less than 900.

WISCONSIN.

Although legal provision was made for local option in this State, the law practically for various reasons had remained inoperative. In 1900, with a solitary exception, no town with a population exceeding 2,000 was under prohibition. The single exception was a town of 3,000 inhabitants which had adopted no-license the year previous.

The conclusion to be drawn from this summary statement of local prohibition conditions prior to 1900 is that in the States which authorized the application of local option to all localities, both urban and rural, local prohibition had been essentially a rural experiment.

The same truth was exemplified by the States which, at the end of the last decade, had applied local option by direct vote to certain localities or rural districts only.

In Illinois, for example, only the rural districts could decide the licensing question by direct vote. Incorporated towns and villages had, however, full power to control the liquor traffic through the local authorities, even to the extent of prohibiting it. Under this régime there were about 140 no-license towns at the period under consideration. All were small, only twenty-four having a population of one thousand or more, the largest one having only 5,000 inhabitants. Towns that are suburbs of a license city are not included in this statement.

In Minnesota the exercise of local option was restricted to rural districts where an election might be had upon the petition of 10 legal voters. Of 46 towns known to be under no-license at the end of 1899, only eight had as many as 1,000 inhabitants and not one exceeding 2,000.

In New York, communities outside of cities were given the right to prohibit liquor selling by popular vote. At the period under consideration, about 265 towns had taken advantage of this right. But of these 54 had less than 1,000 inhabitants; 133 had 1,000 and less than 2,000; 61 had between 2,000 and 3,000, and a single one more than 5,000. Local prohibition was therefore generally restricted to small and rural districts.

In Alabama local prohibition was brought about by special acts which either prohibited outright the sale of liquor in certain localities or provided for elections on licensing in such localities. In this manner 22 out of 66 counties were brought under no-license, at least, so far as the rural districts were concerned. The larger towns and cities remained under license.

The only other State belonging to this group which affords instructive evidence was Ohio, to which special reference will be made later on.

In the following States municipal and other local authorities had the right to prohibit liquor, and indirect popular control could thus be secured by electing officials favorable or unfavorable to the granting of licenses: California, Colorado, Delaware, Nebraska, New Jersey, Utah, Washington, West Virginia and Wyoming.

Some of these States conferred discretionary power only upon rural districts, others gave it to incorporated towns and cities as

well. For the greater part very little use was made of this discretionary power. Few places, and those uniformly small and rural in character, were brought under prohibition by this method. Except in California, where the discretionary power in respect to licensing the liquor traffic for a time disturbed local politics in some of the small centers, the indirect method of securing local option had generally proved inoperative.

The general conclusions in regard to the local option movement from its inception until its more recent development during the decade of 1900 are patent:

1. The experiment had been extended only to the least populated parts of States, to rural districts and small towns. (How far the single State of Massachusetts forms an exception will be discussed in subsequent pages).

2. The legislation itself providing for local option seemed framed primarily for the advantage of agricultural districts, villages and small towns. In some instances incorporated cities were not given the right of local option. Even where the county was made the unit (and county local option is by no means of recent origin), it appears to have been unthought of that any but rural counties could advantageously institute local prohibition by popular vote.

As to the practical results from the experiment, much conflicting evidence has been cited. In general, however, disinterested observers have agreed that a certain measure of success attended the enactment and enforcement of local prohibition in sparsely settled districts and village communities. But even here, examples of practical nullification of the laws were numerous.

LOCAL OPTION IN ITS RECENT DEVELOPMENT.

During the first years of the decade beginning with the year 1900, the Southern States continued steadily to add to prohibition territory through local option. It was part of a campaign that resulted in the now familiar story of State-wide prohibition in some of the Southern States.

In other parts of the country, the progress of the local option movement had, on the whole, made few gains. Some territory had been won, other territory had been lost. But as the temperance wave from the South expanded, the local option movement took a fresh lease of life. New legislation was enacted, notably the

county local option laws of Ohio and Indiana. In other States determined efforts were made to force through new local option laws or to revise or strengthen old ones. The program of the agitation has been open and undisguised. Its ultimate end is State-wide prohibition. Since experience has shown that this is not likely to be achieved by concentrating effort upon a general law in States where the urban vote is powerful, the expedient is resorted to of coercing this urban vote piece-meal. The means lies in county option laws whereby the unfavorable vote of an urban community in a county can be overcome by the rural vote which usually can be counted upon to come out for prohibition.

While it is yet too early to measure the ultimate results from the county local option agitation, its trend is visible. In the following pages some local studies of the actual operation and present-day effects of the local option movement are offered.

COUNTY LOCAL OPTION IN OHIO.

Under the Township Act, passed in 1888, power to prohibit the liquor traffic was given to townships outside municipalities for local option by a direct popular vote on petition of one-fourth of the electors. It was estimated that by 1900 about 260 places had been placed under prohibition by means of this legislation. With the exception of half a dozen towns, the prohibition territory was made up of towns not averaging above 1,000 inhabitants.

In 1902 the Township Act was supplemented by the so-called Municipal Act which provided for a special election on prohibition to be held not oftener than once in two years upon the petition of 40 per cent. of the voters of any municipal corporation.

Apparently this law did not accomplish all that was hoped for it, for in 1904 it was augmented by the Residence District Act. It provided that whenever 40 per cent. of the qualified voters of any residence district should petition for it, the Mayor or a common pleas judge should order a special election upon the question of prohibiting the sale of liquor within such district. A residence district was defined as "any clearly described, compact section, bounded by streets or other well recognized lines, and containing not fewer than 300 qualified voters nor more than 2,000 such voters." It was further stipulated that a residence district should not contain any block, one-half or more of the foot frontage of which was actually occupied by buildings used for manufacturing or commercial purposes. But buildings occupied as saloons were not to be counted either as residence or as business property. Elections by residence districts could be held once in two years. The usual penalties for violations were prescribed.

Two years later (1906) the Residence District Act was amended and made more drastic as to penalties. The maximum number of residents to each district was raised to 5,000, and provision was made for a larger inclusion of business houses within the districts. It was further ordered that the maximum length of a residence district should not exceed its maximum width, unless this prevented the district from containing the requisite number of voters.

But local prohibition was found difficult of enforcement, and in order to make it possible, the elaborate Local Option Search and Seizure Act was passed in 1906. Under it any person may make oath before a mayor, justice of the peace, or judge that he believes intoxicating liquors are being sold contrary to any local option law. Whereupon such official must issue a warrant to any authorized officer whom the complainant may designate to search for and seize liquors. The complainant may personally or by agent accompany and assist the officer serving a warrant. Officers having power to serve criminal process may, on "proper suspicion" search any suspected place, except drug stores and dwellings. A special aim of the law was to secure the compliance of druggists with the law. New regulations for the conduct of their business were provided and increased penalties prescribed. Special provisions were made for speedy trial of violations. The fines collected could be used for hiring detectives to enforce local option.

Not content with all this legislation, a county local option law was passed in 1908, known as the Rose Local Option Law, which bears the significant sub-title, "Further to provide against the evils resulting from the traffic in intoxicating liquor by providing for local option in counties." An outline of its provisions follows:

"Whenever 35 per cent. of the qualified electors of any county shall petition the commissioners or any common pleas judge for a special election to determine whether the sale of intoxicating liquor as a beverage shall be prohibited in a county such, election shall be held in not less than 20 nor more than 30 days from the filing of the petition.

"If a majority of the votes cast are in favor of prohibiting the sale of intoxicating liquor as a beverage, then such sale becomes unlawful after 30 days from the election, under penalty of a fine from \$50 to \$200 for the first offence, and a fine from \$200 to \$500 for any subsequent offence. A bond in the sum of \$1,000 must also be furnished to insure compliance with the law.

"Sales by regular druggists for exclusively known medicinal, pharmaceutical, scientific, mechanical or sacramental purposes, is permitted.

"A new election may be petitioned for and ordered at any time within three years after an election under the act. The provisions of the act do not repeal or affect in any way other laws or ordinances prohibiting throughout any municipality, township or residence

district the selling or giving away intoxicating liquors as a beverage. Clubs or societies are prohibited from giving away liquors in prohibited or local option territory.

"It is made the special duty of the prosecuting attorneys of the county and the attorney of any village, or the city solicitor of any city, to prosecute violations of this act."

Thus Ohio has made it possible to secure local prohibition by vote of the municipal authorities in incorporated places, and in townships, residence districts of municipalities, and by counties through direct popular vote.

By April, 1909, the elections under the county option law had been held in 66 counties out of the total of 88 with the result that 57 voted for prohibition and 9 against prohibition. Five counties were already dry and in 16 (including those containing the chief cities) no election had been held. The mere statement of these figures points to a portentous upheaval.

What does this attempt to outlaw the liquor traffic by county local option in Ohio actually work? The answer will appear from a recital of the facts as dissolved in a recent first-hand inquiry in typical counties. As the interest of the county local option movement lies in its effect upon urban communities of some magnitude, counties containing such communities were selected for study.

1. LICKING COUNTY.

This is a rich county, situated near the center of the State, directly east of Columbus, with 47,070 population in 1900 and estimated at present to be about 55,000. There is but one urban center, namely Newark, the county seat, with a population in 1900 of 18,157, which is estimated to have increased to about 25,000 at the present time. The incorporated place next in size had but 1,400 inhabitants in 1900. It will thus be seen that the population of the county is chiefly rural. Moreover, it is predominantly a country with native-born people. In Newark a few foreigners, chiefly Hungarians, are employed in the mills. There are also a few Germans, and some negroes.

The county is abundantly supplied with means of transportation. In addition to three railroads, there is a rapid electric service crossing the county and connecting Newark with Columbus, the State capital, which has saloons.

In the county local option campaign of 1908 the whole effort centered upon winning Newark for prohibition. The city had always been under license, but the remainder of the county had no saloons. The village of Johnstown had somewhat recently experimented both with a "wet" and "dry" policy, but at the time under consideration had returned to local prohibition.

Although local talent would probably like to claim the honor, it seems true that the initial impetus to the campaign originated from without the county. It proceeded by the usual methods. Speakers of national reputation were brought into the county, and local workers were hired in the interest of prohibition. Among them, it is alleged, was a member of the judiciary. On the other hand, the anti-prohibition people conducted an ineffective campaign. At first they did nothing, believing it impossible that Licking County as a whole should vote itself dry. They did not unite in effort and had insufficient funds. The political parties stood aloof in the contest. The business men did not organize or take any side in the fight. The two newspapers of the city printed paid matter in the interest of both parties, but neither at this time nor since have they expressed a decided opinion on the merits of the question. The local officials, with one exception, remained neutral. The campaign lasted fully two months.

On election day, which was December 7, 1908, women worked fervently at the polls. A parade of school children had been planned, but was stopped upon an appeal to the board of education.

The county cast a total vote of 14,440, of which 7,594 were for local prohibition, and 6,846 against, giving a majority of 748 for prohibition.

The rural votes, which may be considered as all those cast outside the city of Newark, gave 5,154 for prohibition, and 2,849 against, or a majority of 2,305 for prohibition.

On the other hand, the urban vote, which was represented by the city of Newark alone, divided itself into 2,440 for prohibition and 3,997 against, or a majority against prohibition of 1,557. In other words, although Newark was the only community to be affected by the election, the rest of the county being "dry" and in spite of the fact that Newark, by a considerable majority declared itself in favor of license, it was compelled by the rural vote to adopt a policy it did not favor. Only three of 21 precincts of the city showed themselves favorable to prohibition, the majorities ranging from 2 to eighteen. In the 18 precincts voting against prohibition the majorities ranged from five in a total of 422 votes to 207 in a total of 423 votes. It should be remembered that only an inconsiderable foreign element exists in Newark. Nor does it appear that the labor vote swelled the majority against prohibition to a considerable extent.

One potent reason for the exclusion of the saloons was without doubt the condition into which they had been allowed to drift. In 1908 there were 78 places in Newark dispensing liquors, two of which were connected with hotels. The payment of the \$1,000 State tax was the only form of license. Other regulations than those provided by statutes did not exist. The hours of selling were supposedly from 5 A. M. to 12 midnight, except Sundays; "but through a working agreement" with the mayor, the back doors were permitted to be kept open Sundays from 6 to 9 o'clock A. M., and from 1 to 6 o'clock P. M. Rooms were maintained in which women might be supplied with drink, and while the "stall" system did not prevail, some of the saloons stood for the worst evils connected with the drink traffic. The efforts of the State Vigilance Bureau (maintained by the brewers' association) had not been able to improve conditions

materially, for the local officials refused to act. The police had ceased to interfere.

Prohibition went into effect in Licking County on January 6, 1909. Eight months later it was estimated that 50 of the old saloons were still selling intoxicants mostly at the old stands and to the same customers, though ostensibly doing a "soft" drink business. A local brewer, when asked if he thought it an exaggeration that one illicit dealer on some days did a business to the extent of \$200 per day, said he did not doubt it in the least. The two hotels had closed business, no drinking clubs had been formed, but some of the drug stores were doing a flourishing trade.

At first local prohibition increased the importation of liquor for home use; but this has returned to normal dimensions as the local supply is plentiful. The "boot-legging" business, which proved profitable at the outset, has also grown light.

No apparent effort is made by the local officials to enforce the law. Illegal selling may go on under their noses, but they do not see. The recent law requiring the prosecuting attorney in each county under local prohibition to appoint a detective at \$125 per month has been conformed to by appointing two men at half pay and half time. Owing to the source of the appointment no activity is expected on the part of these men. Because of retrenchment, owing to diminished city income, the police force has been reduced one-half. The police feel that their do-nothing policy accords with public sentiment.

A few arrests have been made for illegal selling, about ten in all. Some of the defendants have appealed, others have paid the fine imposed which has uniformly been \$200 and costs of \$8 or \$10. This they consider a very cheap tax on their business.

The absence even of serious attempts to enforce local prohibition and the flourishing condition of the illicit traffic preclude the possibility of the local option law having any effect upon general business conditions. Any change in this respect cannot be ascribed to prohibition which, so far, has existed only on paper.

2. MUSKINGUM COUNTY.

This county lies a little to the east of the center of the State, with its county seat, Zanesville, 47 miles distant from the State capital. It is rich in agriculture, but has a number of scattered industries which gather people into small communities. The largest of these outside Zanesville had only 1,600 inhabitants at the last census. From Zanesville railroads cut the country in eight directions. There is also a rapid electric service connecting it with Columbus.

The population is largely native born. There is, however, a colored population which shows a voting strength of about 1,000, a majority of them belonging to Zanesville. The total population of the county in 1900 was 53,158, of which 29,620 may be reckoned as rural and 23,538 as urban. The urban population is represented by Zanesville, which is the only place entitled to that designation. The county is entirely surrounded by "dry" territory.

For the purpose of this study attention was centered upon the city of Zanesville. It is largely a manufacturing centre. Its industries are diversified and represented by many small factories rather than by one predominant line of industry. Until recently the city is said to have enjoyed a boom period. At least 50 per cent. of the 34,000 inhabitants (estimated) are employed in manufacture. In a general outline the city consists of a compact business district of about twenty blocks, surrounded by residences, straggling business houses and factories.

Neither the county, nor the city of Zanesville, had any previous experience with local option. Certain townships had gone "dry" but that meant as a rule wiping out single saloons, except in one township, where there had been four.

With three exceptions the churches were active in the campaign. It is stated on ample authority that merchants in the small towns of the county worked for prohibition for business reasons, rather than from sentiment, arguing that by helping to make Zanesville "dry" they could retain local trade. In one town, which at a previous period had four saloons, it is said the sympathizers with the liquor element vowed that since they could have no saloons of their own, they would help to shut them out of the rest of the county as well.

At the election a total of 14,973 votes were cast, a somewhat smaller number than at the State election a few days earlier. There were 7,992 votes for prohibition and 6,981 against, a majority for prohibition of 1,011.

The urban vote (and such only that which was cast in Zanesville can be considered) stood: for prohibition, 2,918, and against, 4,332, which gave a majority of 1,414 against prohibition. In the rest of the county (all reckoned as rural) there were 5,074 for prohibition and 2,649 against, or a "dry" majority of 2,425.

Muskingum County thus furnishes another example of prohibition being forced upon the chief urban community against its express wish by the extra-municipal vote. Of the 21 voting precincts in Zanesville, only five gave majorities for prohibition. There can be no doubt that the labor element was largely in favor of retaining the saloons. Of the negroes, however, many voted for prohibition because at a number of saloons their custom was not welcomed.

Local prohibition became effective December 16, 1908. Previously there had been 83 places in the county at which liquors were dispensed, all of them located at Zanesville. Only two bars were operated in hotels.

At the time of this investigation, the illicit traffic in Zanesville had entered upon a second stage. Strange to say, it had not followed the usual order of development. As a rule illicit selling is first carried on under the guise of "soft" drinks. Upon pressure this gives way to the drink clubs, "blind pigs," etc. But at Zanesville the dealer at first obeyed the law and awaited developments. Meanwhile a dress-suit case trade with Columbus sprang up and flourished. Three or four clubs dispensed liquor and there was much importation for home use. There was also a private house which did a large whiskey trade.

Things have changed. In spite of the work of detectives, the old saloons are doing a regular and immense liquor business. A bottle of grape juice or ginger ale in the window and a "Moxie" advertisement are the ostensible signs of the business within. Until recently they sold chiefly beer in connection with soft drinks, with occasional sales of whiskey. At a recent meeting of the dealers it was decided, however, to go ahead and dispense all kinds of liquors as before. One or two of the more conservative dealers are not doing this, but the great majority are. It is estimated that from 65 to 70 places are running in this manner. Counting what is imported for home use, and sold in other ways, the volume of consumption has probably not greatly diminished.

This does not mean, however, that all efforts to enforce the law have been abandoned. Detectives have secured evidence of illegal selling against 53 places. In 52 instances convictions ensued and the defendants were fined \$200 and costs. Most of them appealed their cases. Apparently this official interference did not result even in a temporary cessation of the illegal selling. The places are on the lookout for detectives, but otherwise running wide-open. The regular officials know this as well or perhaps better than anyone else.

Under the conditions described above, it would be rather idle to look for any effect of local prohibition upon public intoxication, crime, etc.

A more interesting question is how far the new régime affects business and financial interests. On this point the most conflicting evidence is voiced. Naturally it has not been made easier than before to sell intoxicants whether in a saloon or at a hotel. But that in so short a space of time business in general should have been disturbed would seem utterly unreasonable even if the law were rigidly enforced.

That the tax-rate will be affected goes almost without saying. The situation that confronted Zanesville is thus described in an address to the president and members of the city council in response to an invitation to be present at a meeting of citizens and tax-payers to discuss plans for raising the revenue lost by the enactment of county prohibition.

"The population of our county must be about 60,000, and of our city about 30,000 or more. This being the case, the dwellers of our city, amounting as they do to one-half the population of the county, must practically make good one-half of the other five-tenths of the Aiken Tax, two-tenths of which went to the county and three-tenths of which went to the State. This would mean, then, that we must make good the city's original share namely \$41,500, which formerly went direct to the city treasury, and we must also make good one-half of the other five-tenths amounting to \$20,750. Twenty thousand seven hundred and fifty dollars added to \$41,500 amounts to \$62,250, which is the amount the dwellers in Zanesville must make good by some new form of taxation."

Unquestionably in an instance of this kind, when a municipality has already decided upon a tax-rate with the expectation of certain income from liquor taxes and suddenly finds this cut off, and when there may be the added expense of refunding in some cases an unexpected pro-rata portion of what has been paid in of such a tax, embarrassment will ensue.

The future tax-rate will unavoidably be affected by it, at least for a time. In Zanesville, at the time of this investigation, the city services had not been materially reduced on account of the loss of income.

3. TUSCARAWAS COUNTY.

Tuscarawas, with its county seat almost 100 miles directly south of Cleveland, presents some points of contrast to the counties already described. Its urban population is not contained in one large city but in four or five of a smaller size. There is a larger admixture of foreign-born inhabitants, the mills and coal mines having attracted a considerable number of Germans, Hungarians and other nationalities. Except in New Comerstown, there is no negro population. In the county as a whole, mining and manufacturing are secondary to agriculture, yet of considerable importance. The mines are located in the north-east section. New Philadelphia is the chief industrial city. On the north Stark county adjoins, which is under license, and contains the city of Canton, the county seat. Railroads cross Tuscarawas county in all directions, and there are electric lines.

At the census of 1900 the population was found to be 53,751. It is now estimated at from 65,000 to 68,000. All of its cities are said to have experienced a healthy growth. Below are the population of the urban communities which in 1900 had a population of 2,000 or over. Possibly some of the smaller places at that time, now approach this figure, but it is uncertain.

	1900	1909 (Estimated)
New Philadelphia.....	6,213	10,000
Canal Dover.....	5,412	8,000
Dennison.....	3,763	7,000
Uhrichsville.....	4,582	7,000
New Comerstown.....	2,659	3,500

Thus there was an urban population in 1900 of 22,629, which at the present time is estimated at 35,500. The estimates are, of course, of local origin, and may be somewhat wide of the mark. The first four of the cities named may properly be considered in two groups. New Philadelphia and Canal Dover, in the north central section of the county, are only two or three miles apart. Although New Philadelphia, which is the county seat, is larger and shows greater wealth, the cities have much in common. Among other things, they voted the same way in the local option election and in the matter of enforcing local prohibition they take the same stand.

The next two cities, Dennison and Uhrichsville, are located about one mile apart in the eastern section of the county, somewhat south of the centre. For all practical purposes they are one city and contain the major portion of the population of Mill township. In their policy on the local option question they take the same stand and a radically different one from the cities to the north.

The fifth city, New Comerstown, is much smaller than the others, but has had an impetus to its growth by the recent establishment of iron works. All of the cities are essentially manufacturing centers.

These five cities may be said to contain the urban population of the county which in 1900, therefore, amounted to 22,629, as against a rural population of 31,112. Taking the maximum estimated population in 1909, namely, 68,000, for the whole county, it divides itself into 35,500 of urban and 32,500 of rural character. These estimated figures, though no claim can be made for their accuracy, are of interest because it is no doubt true that the population of the county is more and more centering in the cities.

Before examining the vote on local option, it is worth while to group the population of the county in a different way, as follows:

	In 1900	In 1909 (estimated)
Dennison.....	8,345	14,000
Uhrichsville.....		
Remainder of county.....	45,406	54,000

It thus appears that in 1900 these two cities contained only about 18 per cent. of the total population of the county.

Neither the county as a whole nor any of the cities referred to above had ever had any experience with local prohibition. One or two of the townships vacillated in their policy under the township act, but only a small part of the population of the county had been affected thereby.

The campaign opened in the late summer of 1908 and was devoid of unusual factors. The dominant political parties remained neutral. In the southern part of the county, especially in Mill township, the agitation in which women took a conspicuous part is said to have taken on something of a hysterical nature. Neither side had the help of organized business interests. All the manufacturers, three bankers and a majority of the business men in Canal Dover are reported to have come out openly for the liquor traffic. In New Philadelphia a similar proportion of business men declared for the same side, but not so openly and emphatically. On the other hand, in Dennison and Uhrichsville, the leading citizens are said to have been just as decidedly in favor of prohibition. The county officials did not take a stand, and of city officials, those in Canal Dover sided openly with the liquor interests. Of the eight churches in Canal Dover, six were in the campaign for prohibition; one took no decided part and one was plainly against prohibition. The two newspapers in Canal Dover took no stand, but printed arguments in favor of both sides, and there was an abundance of it.

The prohibition forces had the advantage of thorough organization under the leadership of the Anti-Saloon League. The liquor dealers lacked leadership. They did not take the campaign seriously until late in the day.

The election took place November 16, 1908, and the prohibition law became operative December 16 of the same year.

The total vote cast was 13,656 and was somewhat smaller than the vote at the State election immediately preceding it. It was distributed as follows: For prohibition 7,300, against prohibition 6,356, giving a majority for prohibition of 944.

There are 20 townships in the county. Eliminating for the moment the vote of the five cities mentioned which will be considered later, it is found that 10 of the townships gave majorities for prohibition and 10 majorities against prohibition. The largest majority for prohibition exclusive of the votes of the cities was 197 in a total of 365 votes and occurred in Mill township, which contains the cities of Dennison and Uhrichsville, both of which gave majorities for prohibition. The largest majority against prohibition in any township, exclusive of its city vote, was 120 in a total of 450 votes, and was returned by the township of Dover, containing the city of Canal Dover which voted against prohibition. These facts seem to indicate that the people in Mill and Dover townships were, on the whole, in sympathy with the sentiment of their respective cities.

Considering now the vote as urban and rural, we arrive at this distribution:

Urban vote for prohibition.....	3,473	Majority
Urban vote against prohibition.....	2,977	496
Rural vote for prohibition.....	3,827	
Rural vote against prohibition.....	3,379	448

Considering the vote by cities the following results obtained:

	For prohibition	Against prohibition	Majority
New Philadelphia....	996	1,098	102 (against)
Canal Dover.....	634	1,072	438 (against)
Dennison.....	566	359	207 (for)
Uhrichsville.....	1,066	271	729 (for)
New Comerstown....	271	171	100 (for)

As has been stated above, the two cities of Dennison and Uhrichsville contained in 1900 about 18 per cent. of the total population of the county. According to current estimates, they now contain almost 25 per cent. Separating the vote of Dennison and Uhrichsville from the vote of the remainder of the county, the following distribution is obtained:

	For prohibition	Against prohibition	Majority for
Dennison.....	1,572	636	936
Uhrichsville.....			
Remainder of county	5,728	5,720	8

It is worth while to make one more analysis of the election figures because they illustrate so abundantly how impossible it is to get a fair expression of the sentiment of the local community under the county option act. It has already been said that the township outside of any city giving the largest majority for prohibition was the township of Mills which contains the urban places of Dennison and Uhrichsville (in reality one community.) Taking the vote of this entire township and the vote of the remainder of the county, we get the following distribution:

Township of	For prohibition	Against prohibition	Majority
Mills.....	1,853	726	1,133 (for)
Remainder of county	5,447	5,636	189 (against)

At the time of the election there were 98 saloons in the county. New Philadelphia had 28 (three of which were hotel bars); Canal Dover, 25 (two hotel bars); Uhrichsville, 12; Dennison, 10; New Comerstown, 5. The remaining 18 were scattered over various places.

Canal Dover was the center of observation in regard to the enforcement of local prohibition. It is a busy manufacturing town, a Pittsburgh in miniature. The business section, consisting of about 15 blocks centering at the intersection of two streets, does not contain any buildings of pretension. With the exception of those upon one street, the residences are apparently those of laborers who constitute possibly 80 per cent. of the population. About one-fifth of the inhabitants are Germans. The city is said to be in good financial condition and boasts an excellent electric and good railway service.

In Canal Dover the State law governing saloons was supplemented by a local ordinance requiring them to close at ten o'clock P.M., Saturdays at eleven o'clock. As a matter of fact, no attention was paid to this regulation. In some of the mills a night shift changes soon after midnight, and many saloons remained open on that account. Election Day was fairly well observed. Some time ago stalls were removed from all saloons provided with them.

At the time of this investigation the illicit traffic was carried on under the guise of selling soft drinks in the same places and by the same men who previously paid tax as saloon keepers. Twenty-three such places were in operation and handled beer as well as spirits. Some of the more timid ones sold beer in bottles labelled "near-beer." The majority, however, took no such precautions and drew beer from faucets. To those who are known to the venders there was not the slightest difference from license conditions as regards the opportunity for buying liquor. Strangers must be vouched for.

In New Philadelphia similar conditions prevailed, but in Dennison and Uhrichsville the saloon doors were tightly closed, and no one was taking chances. The thirsty inhabitants of these places come to Canal Dover or New Philadelphia, or continue, via electrics, to Beach City in the southern part of Stark County.

It is generally admitted by both sides that there is much drunkenness, in Canal Dover, especially. How far the situation has been affected in regard to criminal offenses in general, it is impossible to say.

4. COLUMBIANA COUNTY.

This county is located on the eastern border of Ohio, where the Ohio River leaves the State of Pennsylvania. Owing to the rough and hilly nature of the land, agriculture is of secondary importance. Coal mines and oil wells have been developed, and in the southern part the pottery industry is prominent. There is also considerable activity in the manufacture of iron and steel products. The various industries have brought many foreigners into the county, notably Hungarians, Lithuanians, and Italians, most of whom are employed in different lines of unskilled work. In addition to railroads running through the middle of the county from north to south

and circling the edges of it on three sides, there is an electric service following the Ohio River and entering into the State of Pennsylvania.

In 1900 the population of the county was 68,590. A considerable proportion of the inhabitants live in municipalities, most of which, however, are small. The following places are classed as municipalities for the purposes of this study:

	Population 1900	Estimated Population 1909
East Liverpool.....	16,465	23,000
Salem	7,582	?
Wellsville.....	6,146	8,000
East Palestine.....	2,493	2,800
Leetonia.....	2,744	?
Lisbon.....	3,330	(No growth)
Salineville.....	3,353	(No growth)

According to the census of 1900, the rural population of the county was thus 27,477 against an urban population of 41,113, with the rural population forming apparently 40 per cent. of the whole. It seems most likely that the percentage of rural population has not varied to any great extent during the last ten years.

During the investigation attention was chiefly centered upon the city of East Liverpool and to some extent on Wellsville. These two cities lie but one mile apart, and might for all practical purposes well form a single municipality. They are connected by a local electric service as well as by the interurban service. Both cities are smoke-clouded, rather dirty, and do not give evidence of wealth. The streets have necessarily been developed along the river, and the cross streets run but a few blocks back between the river and the foot of the bluff. The interurban electric service extends to Pittsburgh in one direction and down the river to Steubenville in the other. East Liverpool consists of 4 wards and 17 precincts, while Wellsville has 4 wards and 7 precincts. Of their combined population it is estimated that 85 per cent. are laborers.

Prior to the present experiment with county local option, the municipal local option law, generally known as the Beal law, had placed urban communities of the county under prohibition. It is stated that in East Liverpool the original agitation for prohibition is of even earlier origin, as the residence district local option act had been taken advantage of. The saloons had been kept out of the residence districts in certain parts of East Liverpool until one man of very questionable reputation determined to locate his place of business in another part of the city. Both sides made futile attempts to dissuade him. Later on the residents of the district (factory people) successfully ejected him, and established a residence district for option purposes.

Of the seven cities mentioned above, all but one had experimented with municipal local option. Salineville had voted to exclude saloons; Lisbon had voted twice on the question with opposite results; Leetonia had decided to retain the saloons; East Palestine to exclude them. Wellsville had held its first election in 1907 and had voted for prohibition with a majority of

39. This election followed a week after the election in East Liverpool, which in 1907 voted in favor of prohibition by a majority of 214. At two previous elections East Liverpool had voted against prohibition. It will thus be seen that East Liverpool was already under local prohibition at the time of the agitation for county local option.

The campaign began in the fall of 1908. It was not noticeable on account of any unusual features. The newspapers aided the prohibition side by favoring it editorially, although they printed arguments on both sides as a matter of business. In addition to the local newspapers, the prohibition element made use of a publication of their own which was issued irregularly throughout the campaign.

As not uncommon there is a difference of opinion as to the origin of the campaign. On one side it is claimed that it started from within, that is, in response to a definite local demand. On the other side it is stated just as confidently, and probably with some degree of truth, that back of the campaign was the Anti-Saloon League with its well organized force and an abundance of funds.

The attempt to organize business men to take a stand against prohibition failed. Efforts were made to bring the grocers, dry goods men, cigar-makers, etc., into line separately and together, but they would not listen, and did not dare to organize, saying frankly that they were not inclined to take chances by arousing the enmity of either faction.

To be sure, the manufacturers of the city were canvassed with the result that about one-half of them were induced to sign a statement in favor of liquor selling and a list of them was published in a newspaper; but the prohibitionists likewise canvassed the manufacturers and obtained many signatures which they in turn published. Each side claimed, of course, that its men were the most representative and influential.

The election occurred on October 3, 1908, and the local prohibition law went into effect November 2, 1908.

The total vote cast in the county was 16,856. For prohibition there were 9,218 votes, and against prohibition 7,638, thus giving a majority in favor of prohibition of 1,580.

Unfortunately the vote of the county seat, the city of Lisbon, is not given separately, but is included in that of the township in which it is located. This township consists of two precincts. The north precinct gave 107 votes for prohibition and 82 against, while the south precinct gave 132 for prohibition and 69 against.

Passing now to the cities for which a separate vote was obtainable, the following were the results of the election:

	For prohibition	Against prohibition	Majority
East Liverpool.....	1,871	2,288	417 (against)
Salem.....	1,023	957	66 (for)
Wellsville.....	819	1,016	197 (against)
East Palestine.....	431	286	145 (for)
Leetonia.....	281	332	51 (against)
Salineville.....	332	279	53 (for)

Assuming that these six cities constituted the urban population of the county (which, however, is not quite accurate, since the vote of Lisbon cannot be stated, but answers immediate purposes), the distribution of the urban and rural vote was as follows: Urban vote for prohibition 4,757; against prohibition 5,158; giving a majority of 401 against prohibition. The rural vote for prohibition was 4,461; and 2,480 against; giving a majority of 1,981 for prohibition.

Outside of the cities not a single township as a whole returned a majority against prohibition, although two precincts in one township gave small majorities against prohibition. In East Liverpool out of 17 precincts 6 voted for prohibition and 11 against. In Wellsville 3 of the 8 precincts voted for prohibition and 5 against.

At the time of the election there were in all 36 saloons in the county, of which 20 were in Salineville, 8 in Leetonia, 6 in Lisbon, and 2 in other places. It will be recalled that at this time there were no saloons in East Liverpool or Wellsville. How many such places had existed in East Liverpool previous to 1907 cannot be stated with accuracy, but the number was probably between 50 and 60. With due allowance for exaggerations, it seems probable that the saloons lived in closer obedience to the State law than in some other places. It is said that the Sunday law was generally observed and that gambling and the frequenting of saloons by women were not tolerated.

The attitude of the officials toward the question of enforcement varies. The county officers are outwardly in sympathy with local prohibition, but they are not aggressively so, and, therefore, in effect practically neutral; although it may be said that they do faithfully work that comes to them. On the other hand, the Mayor of East Liverpool was strongly against prohibition and had just won on an anti-prohibition ticket in a primary campaign. The rank and file of the police force of East Liverpool do not pretend to enforce the law or even to observe violations. Its head, however, is aggressively for prohibition and makes periodical examinations of every soft-drink place to see how the business is conducted, but for various reasons he is incapable by himself of enforcing the law and appears to be hoodwinked right and left, although quoted by the prohibitionists as a model law enforcer. The courts appear to have been lenient with violators and to have imposed only a minimum fine. Very similar conditions are to be observed in Wellsville in the matter of enforcement.

The drug stores in East Liverpool appear to conduct an honest business. There are at least 10 so-called soft-drink places which sell whiskey and some beer, and at least 4 speak-easies. These places, however, run quite secretly, because of the constant presence of private detectives. "Boot-legging" flourishes, and results in the distribution of a great deal of whiskey. Of course the quantity cannot be measured, but there is common agreement to the effect that this sort of illegal selling is extensive. Perhaps the most significant phase of the situation is the large sale of so-called near-beer which, as one of the men concerned plainly asserted, contains more than two per cent. of alcohol instead of less than one-half of one per cent. which is authorized by law. This product, however, is sold everywhere as near-beer and in large quantities. On Saturday nights a rush is made

for Rochester, Pa., nine miles away, which can be reached for a fifteen-cent fare by electric cars, and is abundantly supplied with saloons.

The reason why a city like Liverpool, which had voted for prohibition under the Beal law, should give a majority against prohibition under the county local option law, is not quite apparent. On one side it is claimed that the citizens voted against prohibition because they were tired of the farce of non-enforcement. On the other side it is said that no effort was made to win the city, because the county districts were considered the strategic points and could be made to yield the necessary majority for prohibition. It is claimed by the prohibition element that the city could have been won for their side if a strong attempt had been made. The business men of the city were most reluctant to express an opinion except where their sentiments were outspokenly in favor of prohibition. That the liquor dealers were surprised by the number of votes in favor of prohibition goes without saying. They offer as explanation that there has been a desire to try the experiment, thinking it would be shortlived. They claim that their campaign was all that could be asked, and that they would pursue the same tactics at another time under similar conditions.

5. SCIOTO COUNTY.

Scioto County lies in the extreme southern part of the State, about midway between the eastern and western boundary lines. Unlike Columbiana County, it is chiefly agricultural, practically all other industries being centered in the city of Portsmouth.

In 1900 the county had a population of 40,981 which is estimated to have grown to 50,000 at the present time. There are colored inhabitants to the number of from 1,200 to 1,500, according to local estimates, most of whom live in Portsmouth, the county seat and only municipal community.

At the last federal census Portsmouth had 17,870 population which is supposed to have increased since then to about 25,000. The city lies on the Ohio River. Since the river ceased to be the chief means of transportation the city has developed inland. The old thoroughfares along the river have been deserted and a new city has grown up around its chief industry, which is that of manufacturing shoes. It is estimated that the various shoe shops give employment to about 5,000 hands. There is little evidence of wealth. The homes of the poor and of the well-to-do occupy the same sections. The city is said to be deeply in debt. The streets are dirty and the sewer, water and light systems seem wholly inadequate. These observations are in point as evidence of the needs of revenue in this city. Electric roads radiate into the county in three directions. There are three railroads of importance.

The effort to place Portsmouth under prohibition rule began in 1907 with an attempt to take advantage of the residence local option law. A petition which had been circulated quietly was suddenly presented with sufficient signatures to call for an election. The liquor dealers met this move by a city district plan which included practically all the saloons in existence and the signatures were secured to petition to keep the districts dry. This plan succeeded, but not for long.

Signatures favoring the retention of liquor selling had been obtained for a certain district which contained a single saloon in its business corner. To this there was little objection for the saloon was conducted in an orderly manner. It had been agreed between the leaders of the liquor dealers and influential residents of the district that no other saloon should be permitted within its borders. But a man who had twice served sentence in the State penitentiary saw his opportunity to do a thriving business in the district under consideration and could not be dissuaded from his purpose by those who had promised not to permit any more saloons. Accordingly this individual saloon was opened. How strongly this defiance of public opinion was resented appeared in the recent county election when the district gave a majority of 231 for prohibition, while previously it had favored liquor selling by a majority of about 30. This local disturbance probably influenced the minds of many voters throughout the city during the ensuing local option fight.

The county option election which took place September 29, 1908, was preceded by a six months' campaign of unusual intensity and bitterness. The dominant political parties did not take a hand as such, nor were local political issues prominent. The organization of the prohibition advocates was strong. One of their chief workers, a clergyman, is authority for the statement that they had a fund of \$8,000 for campaign purposes. Speakers were brought in from outside of the county and, in addition to meetings of churches, women, etc., there was much personal canvassing. The leading manufacturers gave unreservedly of energy and money to the prohibition side. Colored workers were brought in to try and turn the colored vote in favor of prohibition. A tent was maintained in the poorer district from which for several weeks prior to the election a special campaign was waged. A large poster announced a reward of \$5,000 for anyone who could prove that any attempt was made to buy votes. Meanwhile, a local judge had ruled that to bring a person to the polls in a vehicle was an attempt to bribe. It is said that this action which was accompanied by a system of spying upon the leading anti-prohibition men, did much to interfere with legitimate electioneering on the part of the liquor interests.

The campaign against prohibition was equally aggressive and did not lack for funds. An attempt to organize the business men failed, as they feared a boycott from the leading manufacturers who had espoused the prohibition cause. No doubt the best fight possible was put up for the retention of the saloons. There was a special incentive present in the probability that certain adjacent counties would go dry, which made it the more important to preserve Scioto County with the city of Portsmouth as a distributing center.

The attitude of the press was non-committal. It published paid matter on both sides. A liberal use was made of the mails throughout the campaign.

Thirty days after the election on October 29, 1908, the county was placed under local prohibition. The vote cast was the largest in the history of the county. In Portsmouth 871 votes more were cast than in the preceding mayoralty election.

The total vote of the county (10,263) divided itself into 5,247 for prohibition and 5,016 against, thus giving a majority of 231 for prohibition. Four townships outside of Portsmouth recorded majorities against prohibition.

The urban vote (represented by the city of Portsmouth alone) stood 2,520 for prohibition and 2,662 against, giving a majority against of 142. The rest of the county (the rural vote) gave 2,727 for prohibition and 2,356 against, being a majority for of 373.

Of the 21 precincts in Portsmouth, 10 gave majorities for prohibition and 11 majorities against. The colored population voted against prohibition almost as a unit, notwithstanding the special effort made to win them over to the other side.

Portsmouth had previously supported 59 places for the sale of liquor, two being connected with hotels. The city ordinances did not impose any restrictions in regard to the number of saloons, the hours of sale or other local regulations. The places were open from 5 o'clock A.M. until midnight. The work of the State Vigilance Bureau had resulted in a material reduction of Sunday selling and whatever remained of it was apparently unknown to the leaders of the liquor interests. Prostitution had been divorced from the saloon. There seems reason for the claim that, on the whole, the saloons were run in an orderly fashion.

In Portsmouth, as elsewhere, the first stage of evading prohibition was through the establishment of soft drink places. Some of the former saloon keepers moved away or engaged in other business, but the greater number remained to dispense soft drink and, under the guise of it, intoxicating liquors. There were 23 such places scattered over the city. Few of the dealers ventured to sell whiskey, it being considered too risky. All, however, were selling genuine beer to their patrons; but with some caution. Suspected persons were served with near-beer or "flip," as it is known colloquially.

The bulk of spirituous liquors is either imported for home use or brought in by "boot-legging." Chillicothe, 40 miles distant to the north, and a place on the river not so far away, are the chief sources of supply for this industry. The boot-legger of Portsmouth did not sell one bottle of whiskey to the customer, but two. It is with the express understanding that the customer resell one bottle to the original vender. In this way he guards against being caught as his customer is thus made equally guilty of illegal selling. The boot-legging business was extensive. Illegal selling at drug stores was said not to be common. No drink clubs had been formed.

The authorities are, on the whole, not attempting a vigorous enforcement of the law. Owing to reduced income, through loss of the liquor taxes, the police force has been reduced one-half. This fact alone renders effective vigilance on its part impossible. During a stay of several days and in spite of being constantly on the streets, Saturday until late in the evening, the investigator did not see a single policeman.

Persons on both sides concede that there is less drunkenness to be seen on the streets than formerly, but this, of course, does not argue that there really is less throughout the city as, for obvious reasons, efforts may be made to shield it from view.

Business was not particularly active at this time; but on the question how far it has been affected by prohibition there was the usual diversity of opinion. Each side claims to know and cites evidence to prove their contentions. In certain parts of the city, chiefly the poorer sections where the saloons were conspicuous, there is undoubtedly less traffic than formerly. Some of the former saloons were still untenanted and "to let" signs are common enough. Perhaps the situation can best be summed up by quoting the opinion of two prosperous business men who declared the local option enforcement in Portsmouth to be a farce, yet that local prohibition apparently had not hurt general business. Self-evidently, the trial of prohibition had not been of sufficient duration or effectiveness to yield any conclusive evidence, except as to official indifference, the extent of the illicit and unsuppressed traffic and the undoubted loss of revenue to the city.

6. JEFFERSON COUNTY.

This is another of the river counties located on the Ohio, opposite Pittsburgh, which is about forty miles distant from its county seat, Steubenville. The total population in 1900 was 44,357, and is estimated at the present time to be from 53,000 to 60,000. There is a considerable admixture of foreign born inhabitants who are employed in mining, manufacturing, pottery works, and at the oil wells. The northern part of the county is distinctly rural and sparsely populated.

There are only three municipalities of any consequence within the county, namely, Steubenville, population 14,349; Toronto, population 3,526; and Mingo Junction, population 2,954. These figures are for 1900. No competent estimates were to be had of the present population of the two smaller cities. Steubenville is supposed to have about 20,000 inhabitants. Using the last census figures, the urban population of the county may be placed at 20,829, and the rural population at 23,528. It seems probable, however, that the rural majority in the county has practically disappeared since the year 1900.

The city of Steubenville stretches out like a ribbon along the Ohio River. It has an unkempt appearance and is heavily bonded. Of its considerable foreign born population, Italians and people from southern Europe are in evidence upon its streets. At the time of the investigation the city was experiencing something like a boom. The mills were running on full time and a good deal of construction work was carried on in the vicinity of Steubenville which helped to create activity in this city.

Except in certain townships, there had been no general action to secure local prohibition within the county, and the city of Steubenville was entirely unacquainted with this social experiment. The campaign in favor of county local option began in the fall of 1908. Those engaged in the liquor trade carried on a vigorous campaign.

The prohibition forces carried on the usual campaign, the features of which were noon meetings in the business districts and the employment of many women.

The election took place on November 23, 1908, and the local prohibition law became operative on December 23, of the same year.

A total vote of 12,220 was cast in the county, of which 7,020 were for prohibition and 5,200 against prohibition, giving a majority for it of 1,820. Exclusive of the three cities mentioned above, every township in the county gave a majority for prohibition. Including the three cities in their respective townships it is found that every township favored prohibition by a majority vote except the one containing Steubenville and Mingo Junction, which township gave a majority against prohibition of 600 in a total of 5,338 votes. The township showing the largest majority in favor of prohibition was Rose township which gave 133 votes for and two against prohibition.

In the three cities under discussion the vote was distributed as follows:

	For prohibition	Against prohibition	Majority
Steubenville.....	1,910	2,527	617 (against)
Mingo Junction.....	303	359	56 (against)
Toronto.....	493	425	68 (for)

Distinguishing the vote as urban and rural on the basis of the population of the three cities from the rest of the county, the following distribution is obtained:

Urban vote for prohibition, 2,706; against prohibition 3,311; majority against, 605.

Rural vote for prohibition, 4,314; against prohibition, 1,889; a majority in favor of prohibition, 2,425.

Prior to the election there had been 145 saloons in the county, of which no less than 81 were located in Steubenville. The saloons were supposed to close at one o'clock in the morning, except Sundays, when no sales were permitted. Outside of the regular places, what practically amounted to saloons were conducted by foreigners in private houses in the factory district.

As a result of the election, many of the higher grade of saloon men have left the business. Approximately one-third of them remained, however, and are running the usual soft-drink places, the real business of which is that of dispensing intoxicating liquors.

The bulk of the illicit traffic is done in the aforesaid factory district by foreigners who are the same men that conducted liquor selling in private houses. The drug stores appear to live up to the law. The demands of the locality for drink are supplied furthermore by a speak-easy, numerous boot-leggers, and a dress-suit case trade. There is also a considerable distribution of beer among private houses.

The professional boot-legger is apparently doing a thriving business. Such a one will at night cross the river to Wellsburg, West Virginia, 12 miles away, via the electric cars, on which the fare is 15 cents. There he may buy some 50 half-pint bottles at 35 cents each, which later on are sold at a price of 50 cents apiece or more. An estimate of the number of people engaged in this traffic is, of course, impossible, but it is said to be very substantial.

In the matter of enforcing the law, Steubenville is left to the mercy of the municipal officials very largely. The county officials, as well as the county detectives, are supposed to be in active sympathy with the prohibition element. At the time of the investigation it was stated that three sets of

detectives were at work in the city trying to ferret out violations: Government detectives, county detectives, and private detectives in the employ of the prohibition element.

7. CLINTON COUNTY.

Only a brief reference shall be made to one place in this county, namely, the city of Wilmington, which in 1900 had about 3,000 inhabitants. Conditions here are interesting chiefly because they illustrate a peculiar phase in local prohibition. Since the county voted to banish the saloons, those formerly in business in Wilmington had either left or are ostensibly engaged in the drug business, and the latter are not at all friendly to any attempt to regain the county for license. The opinion of those known to favor reinstating the saloon was that they cannot do so, because the efforts of certain former saloon men are now on the side of the Anti-Saloon League inasmuch as they are in the "drug" business.

Wilmington has a not inconsiderable negro population. That part of the town which is given over to the poor class of laborers and negroes is the one in which the drug store business has had its growth. Prior to the local option election, there were four drug stores where now there are seven. Except for the sign displayed above, these stores might be news-stands, or tobacco shops, or general stores, so little do they partake of the appearance of bona fide drug stores.

It is said that the show cases in these stores are placed on the bars formerly used when they were kept as saloons. From appearances this might easily be believed. Three of the so-called drug stores are side by side and the fourth one only a short distance away. A few labelled drug bottles are in evidence as well as packages of patent medicines on the shelves. An inquiry for a common kind of tooth powder elicited the answer that nothing in that line was carried. But it was easy to obtain a bottle of beer bearing a well known label. During the evenings, groups of men were hanging about or sitting in front of some of these stores. It was apparent from without as well as within that they existed only for the purpose of dispensing liquors.

EFFECT OF LOCAL PROHIBITION IN OHIO UPON TAX RATES.

In all local option contests much is made of the argument that the loss of revenue from liquor privileges must necessarily affect the tax rates, and it has its justification. The extent to which such loss is felt varies with the amount of liquor tax imposed and the general financial condition of the community. As a rule, the loss is sufficient to cause an increase in the local tax rate and a general readjustment of methods of raising revenue. On this point there is hardly room for dispute.

The claim that this loss is only temporary, and that it is more than offset by the gain in thrift flowing from the absence of tempta-

tion to squander earnings in drink, and by exempting the community from the burdens incident to the liquor traffic, is usually spurious. What might be the effect if local prohibition as usually exemplified actually made for sobriety, is another story; but so long as there is no evidence of a diminution of the consumption of liquor, whether supplied legally or illegally, the financial benefits of placing a ban upon the saloons are purely theoretical. It must also be remembered that, aside from a measurable loss of revenue, the legalized traffic is a commercial asset the loss of which affects the community in several ways.

The succeeding pages afford some tax rate comparisons, culled from official sources, for the counties in Ohio of which an account has already been given. The figures adduced cover the three years 1907, 1908 and 1909. Nearly all the counties under consideration adopted local prohibition in 1908, so that the year 1909 is the one showing the financial effects of the policy.

It will be observed that in some instances the tax rate for 1908 was lower than that for 1907. This is explained by the fact that, under the laws of Ohio, the tax rate is fixed in June of the year preceding that in which it becomes effective. That is, the tax rate for 1908 was made in June, 1907, the first half of the tax collection being made in December of 1907, and the second half in June of 1908.

It may happen that a large unexpended balance from liquor taxes of one year may enable the officials to reduce the tax rate the succeeding year. Thus, in the case of Jefferson County, the local option law election was held on November 23, but, under the law, liquor selling did not cease until 30 days later. The large unused balance of liquor taxes and available for all purposes in June of 1907, made it possible actually to reduce the tax rate for 1908. The rate for 1909, however, shows a material advance.

For the rest, the figures explain themselves. It should be noted that the population figures given for 1909 are estimates in all cases.

LICKING COUNTY.*

CITY OF NEWARK.

Population (1900) 18,157; (1909) 25,000.

	1907	1908	1909
Municipal tax rate.....	14.	14.	16.82
School rate.....	11.	11.5	11.5
County rate.....	5.455	5.155	5.255
TOTAL.....	30.455	30.655	33.575

Municipal Duplicate.....	—	—	—
County duplicate outside.....	—	—	—
Public safety levy.....	3.75	3.75	4.
Public service levy.....	5.75	5.	4.28
Public health.....	0	0	.17
Sinking fund.....	4.25	5.	6.50
Library.....	0	0	.08
Hospital.....	.25	.25	.24
Other special levies.....	0	0	0
General levies.....	0	0	1.55

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
January 1, 1909	\$100,000	Water works
March 1, 1909	10,500	Refunding
May 1, 1909	3,399	Sidewalk and Sewers
September 1, 1909	3,335	Paving (Special Assessment)

*The county voted "dry" December 7, 1908.

MUSKINGUM COUNTY.*

CITY OF ZANESVILLE.

Population (1900) 23,538; (1909) 34,000.

	1907	1908	1909
Municipal tax rate.....	13.	13.90	16.01
School rate.....	10.1	11.	11.
County rate.....	7.755	7.555	7.255
TOTAL.....	30.855	32.455	34.265

Municipal duplicate.....	\$10,509,338	\$10,855,361	—
County duplicate outside.....	\$16,178,850	\$16,116,646	—
Public safety levy.....	2.45	2.90	3.
Public service levy.....	4.93	5.55	5.45
Public health.....	—	.35	.35
Sinking fund.....	5.50	5.	5.
Library.....	—	—	—
Hospital.....	.10	.08	.9
General levy.....	—	—	1.20
Firemen's pension.....	.01	.01	.03
Police pension.....	.01	.01	.08

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
March 1, 1909	\$48,200 77	Special assessment Bonds.
April 1, 1909	6,000 00	Fire Station Bonds.

*The county voted "dry" November 16, 1908.

TUSCARAWAS COUNTY.*

CITY OF NEW PHILADELPHIA.

Population (1900) 6,213; (1909) 10,000.

	1907	1908	1909
Municipal tax rate	14.	16.1-3	13.70
School rate.....	10.	12.1	12.7
County rate.....	8.50	8.50	9.60
TOTAL	32.50	36.933	36.00

Municipal duplicate.....	\$ 2,460,150	\$ 2,561,740	—
County duplicate outside.....	19,641,480	19,856,280	—
Public safety levy.....	1.5	3.	2.30
Public service levy.....	6.	6.	5.4-5
Public health.....	0	.1-5	.1-5
Sinking fund.....	6.	6.	4.
Library.....	5.	.1-3	0
Hospital.....	0	0	0
General levies.....	0	.4-5	1.2-5

*The county voted "dry" November 16, 1908.

TUSCARAWAS COUNTY.

CITY OF CANAL DOVER.

Population (1900) 5,422; (1909) 8,500.

	1907	1908	1909
Municipal tax rate.....	9.	8.5	12.75
School rate.....	11.	11.1	10.3
County rate.....	7.155	7.155	8.255
TOTAL.....	27.155	26.755	31.305

Municipal duplicate.....	\$2,220,680	\$2,276,170	—
County duplicate outside.....	19,880,950	20,041,850	—
Public safety levy.....	0	0	2.
Public service levy.....	5.	5.5	6.
Public health.....	0	0	0
Sinking fund.....	4.	3.	3.
Library.....	0	0	0
Hospital.....	0	0	0
General levies.....	0	0	1.75

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
September 1, 1909	\$10,020	Paving

TUSCARAWAS COUNTY.

VILLAGE OF DENNISON.

Population (1900) 3,800; (1909) 4,000.

	1907	1908	1909
Municipal tax rate.....	14.7	18.	17.
School rate.....	17.5	17.4	17.6
County rate.....	7.55	7.155	8.255
TOTAL.....	39.75	42.555	42.855

Municipal duplicate.....	\$951,660	\$1,008,490	—
County duplicate outside.....	21,149,970	21,309,530	—
Public safety levy.....	1.5	1.5	2.
Public service levy.....	7.	7.	6.75
Public health.....	1.	.5	0
Sinking fund.....	1.	0	4.
Library.....	0	0	0
Hospital.....	0	0	0
Other special levies.....	5.1	1.	0
General levy.....	0	8.0	4.25

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
September 1, 1909	\$3,000	Pike Improvement

TUSCARAWAS COUNTY.

VILLAGE OF UHRICHSVILLE.

Population (1900) 3,500; (1909) 4,800.

	1907	1908	1909
Municipal tax rate.....	15.25	15.4	16.
School rate.....	15.9	16.	16.
County rate.....	7.155	7.155	8.255
TOTAL.....	38.305	38.555	40.255

Municipal duplicate.....	\$990,270	\$999,020	—
County duplicate outside.....	21,111,366	21,319,000	—
Public safety levy.....	.75	1.	2.
Public service levy.....	8.75	8.3	6.
Public health.....	.5	.3	.125
Sinking fund.....	.125	5.3	6.00
Library.....	0	0	0
Hospital.....	0	0	0
Other special levies.....	5.125	0	0
General levy.....	0	.5	1.875

COLUMBIANA COUNTY.*

CITY OF EAST LIVERPOOL.

Population (1900) 16,465; (1909) 23,000.

	1907	1908	1909
Municipal tax rate.....	16.15	15.05	15.05
School rate.....	12.	12.	12.
County rate.....	6.055	6.055	6.055
TOTAL.....	34.205	33.105	33.105

Municipal duplicate.....	\$7,108,940	\$7,089,110	—
County duplicate outside.....	24,633,120	25,057,980	—
Public safety levy.....	3.55	3.50	3.75
Public service levy.....	4.0	4.0	4.45
Public health.....	.30	.90	.50
Sinking fund.....	6.0	4.0	4.0
Library.....	.55	.40	.40
Hospital.....	.50	.65	.65
General levies.....	.90	1.25	1.0
Park.....	.35	.35	.30

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
July 1, 1909	\$2,426.30	Street Bond
	8,106.25	Special Assessments

*The city of East Liverpool voted "dry" under the Beal law June 22, 1907, and the county voted "dry" under the Rose law (present county local option act) October 3, 1908.

SCIOTO COUNTY.*

CITY OF PORTSMOUTH.

Population (1900) 40,981; (1909) 50,000.

	1907	1908	1909
Municipal tax rate.....	15.25	15.25	15.25
School rate.....	9.65	9.65	9.65
County rate.....	7.755	8.755	8.755
TOTAL.....	32.655	33.655	33.655

Municipal duplicate.....	\$7,920,026	\$8,216,996	—
County duplicate outside.....	6,968,158	7,140,455	—
Public safety levy.....	2.	2.20	3.35
Public service levy.....	6.25	6.10	5.
Public health.....	.45	.40	.25
Sinking fund.....	5.35	5.35	4.45
Library.....	.60	.60	.40
Hospital.....	.50	.60	.40
General levies.....	.10	—	1.40

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
March 1, 1909	\$10,000	Fire Department
June 1, 1909	6,000	Street Extension
October 1, 1909	12,000	Sewers
April 1, 1909	15,000	Levee and Embankment
August 1, 1909	10,000	Street Extension

*The county voted "dry" September 29, 1908.

JEFFERSON COUNTY.*

CITY OF STEUBENVILLE.

Population (1900), 14,349; (1909), 22,000.

	1907	1908	1909
Municipal tax rate.....	13.2	10.	13.
School rate.....	9.05	11.15	12.05
County rate.....	9.255	9.255	9.255
TOTAL.....	31.505	30.405	34.305

Municipal duplicate.....	\$8,303,720	\$8,490,190	—
County duplicate outside.....	17,389,620	17,781,740	—
Public safety levy.....	3.	2.8	4.
Public service levy.....	7.	6.	4.8
Public health.....	0	0	.2
Sinking fund.....	2.5	.7	2.4
Library.....	.7	.5	.6
Hospital.....	0	0	0
General levies.....	0	0	1.

CHARACTER AND AMOUNT OF BOND ISSUES SINCE THE ENACTMENT OF LOCAL PROHIBITION.

Date	Amount	Purpose
June 29, 1909	\$52,000	Special Assessment Bonds

*The county voted "dry" November 23, 1908.

CLINTON COUNTY.*

VILLAGE OF WILMINGTON.

Population (1900) 3,613; (1909) 5,500.

	1907	1908	1909
Municipal tax rate.....	12.50	13.	12.70
School rate.....	10.	10.	10.
County rate.....	2.705	3.10	3.50
TOTAL.....	25.205	26.10	26.20

Municipal duplicate.....	\$1,922,526	\$1,971,924	—
County duplicate outside.....	12,177,138	12,253,031	—
Public safety levy.....	1.70	2.50	1.80
Public service levy.....	7.50	6.40	7.10
Public health.....	.10	.10	.10
Sinking fund.....	1.90	2.40	2.
Library.....	.60	.60	.70
Hospital.....	0	0	0
General levies.....	.70	1.	1..

*Wilmington, the only municipality in the county having saloons, voted "dry" under the Beal (municipal local option) Law, July 11, 1904.

COUNTY LOCAL OPTION IN MICHIGAN.

In contrast to Ohio, the State of Michigan has indulged in very little experimentation with local option laws. As has already been noted on preceding pages, county local option has existed in Michigan by virtue of an act passed as early as 1889. The act has since been amended, but not in fundamental respects. It provides briefly as follows:

The sale and manufacture, furnishing and giving away of intoxicating liquors becomes unlawful in any county upon the adoption of local option, excepting cider and wine made from home grown fruits in quantities of five gallons or more. The supervisors are in duty bound to call an election upon a petition signed by one-third of the qualified electors of the county. The petition with its accompanying affidavits, and the posting thereof, having been found sufficient, a special election is held at the time and place of the next spring township elections.

If the vote be in the affirmative (prohibiting the sale of liquor), the supervisors shall, after the vote has been canvassed, declare such sale of liquor prohibited, from and after the first of May following. The vote shall be in effect for two years, and until repealed at a subsequent election.

The penalty for violating the local prohibition is for the first offence a fine of \$50 to \$200 and imprisonment of from twenty days to six months. For subsequent offences a fine to the amount of \$500 may be imposed and imprisonment for six months to two years.

Proof of a single sale is deemed sufficient proof for conviction under this act.

Any officer avoiding duties under the act shall pay a fine not exceeding \$200 or be punished by imprisonment not exceeding six months or both.

County local option remained practically inoperative for a number of years. Sporadic efforts had been made to bring counties under prohibition. A general county option campaign was not inaugurated until about the year 1908. It owed much

of its impetus to the agitation of the liquor question which had gripped the Southern States. At this time Michigan was still under the general liquor law passed in 1887, to which a brief reference must be made in order to get a clear picture of the conditions of liquor selling in the various counties which since have adopted local prohibition.

The law of 1887 was an act for the taxation of the traffic in intoxicating liquors rather than a license law. That is, the condition upon which selling was authorized was the payment of a tax and furnishing a bond with proper sureties.

In other words, the law did not contemplate permission to sell as a privilege only to be granted by specially designated licensing authorities upon direct application and after careful scrutiny of the character of the applicant, the public necessity for the place at which he wished to sell, etc. While the law referred to designates the fee for selling liquor only as a tax, there were other conditions precedent which were somewhat inconsistent with a purely tax system, among them the power of local authorities to impose special regulations in regard to location, general conduct of the traffic, etc. But notwithstanding this, it followed from the law that anyone who could satisfy the financial demands might engage in the traffic.

The general retail tax was \$500; the wholesale tax \$500; for selling spirituous liquors both at wholesale and retail \$800; and the brewer's tax was \$65. There was also a warehouse or agency tax of \$50. Of the tax money, one-half accrued to the county and one-half to the township, village or city in which the business was carried on, excepting in the upper Peninsula where the entire amount is credited to the municipality.

In addition to the tax which was payable in advance, a bond in the sum of not less than \$3,000 was required with sufficient sureties. Such bond could not be received by the county treasury until it had been approved by the township trustees or the city or village council.

Among the regulations were the usual prohibitions against selling to minors and intoxicated persons, etc. Certain persons were prohibited from playing games in saloons. It was unlawful to sell liquors at a place of general amusement, furthermore on Sundays, election days, all legal holidays and between the hours of 9 o'clock p. m. and 7 o'clock a. m., although in cities and incorporated villages the local authorities might permit selling to begin an hour earlier and close two hours later.

Persons arrested for intoxication were required to testify where and from whom they had obtained the liquor producing this intoxication. A person testifying in this manner was not to be prosecuted for intoxication concerning which such testimony was given.

The penal provision of the law did not apply to druggists. They were, however, required to give bonds in the sum of \$2,000 and limited to sales for medicinal, mechanical and sacramental purposes, and were required to make records of all sales subject to public inspection. Prescriptions of physicians were not required, but minors had to present written orders of parent or guardian. Sales by druggists to intoxicated persons, for consumption on the premises, etc., were forbidden.

The law thus outlined above, with its various amendments, was in force until September 1909, when it was amended by what became known as the "Warner-Crampton law." This new law did not affect the amount of tax to be levied, but changed the regulation act from a tax to a license law.

It is made the duty of township trustees and village and city councils to pass upon all applications for the privilege of selling liquors, and they are enjoined from approving the application of anyone who is not a citizen of the State and the United States, or who has served time in any State prison or penitentiary, or who subsequently to this law going into effect has twice been convicted of any violations of the liquor laws of any State.

It is within the power of the local authorities in any township, village or city to limit the number of liquor selling places, but in any case they may not exceed one to every 500 inhabitants, according to the last United States Census, unless a greater number existed in April 1909, then that number shall be the maximum.

No saloon may be established within 400 feet from the front entrance of a church or public schoolhouse or in any residence district except upon the consent of all the property owners within 300 feet of the place where the saloon is to be located.

No sign of any description advertising liquors shall be attached to the outside of the part of a building used for retail sale.

The penalty for any violation of the numerous regulations and prohibitions is a fine of not more than \$200, together with costs of prosecution, or imprisonment of not less than ten or more than 90 days, or both. Upon a second offence the license is forfeited, and the licensee forever disqualified from procuring another.

The Local Option Law, which is entirely separate and distinct from the Regulation Law, was further strengthened by a special search and seizure act. It provides, like the one in Ohio, that upon the complaint of any person before a magistrate authorized to issue warrants in criminal cases alleging belief that the law is being violated in any respect at any place, the magistrate shall at once issue a warrant to any officer whom the complainant may name and who is authorized to serve criminal process. The person making the complaint may personally or by agent accompany the officer serving the warrant.

All shipments of liquor within the State consigned to any point and to be paid for on delivery are held to be sales made at the place of destination in violation of the law. There is also a provision making possible the examination of books and way-bills used by any common carrier or anyone else, in shipping and delivering liquors.

The strenuous campaign carried on throughout Michigan has resulted in placing many counties under local prohibition. The conditions under which this has been done, how the new régime works, and what it promises for the future, are indicated in the following local studies.

1. OAKLAND COUNTY.

According to the State census of 1904, the county had a population of 45,746, of whom about 14,000 were classified as foreign born, chiefly Canadians, Germans and English. About 78 per cent. of the males of voting age are native born. In the valuation of lands and buildings Oakland County ranks third in the State. There is only one urban center, namely, Pontiac, the county seat, which in 1904 had a population of 10,884. There are several villages, but none having more than 1,600 inhabitants. Regarding Pontiac as the only city, there was thus an urban population of about 10,000 and a rural population of about 34,000. Outside of the city of Pontiac, agriculture is practically the only industry.

Pontiac, which forms a rather compact city of five wards, is located but 26 miles from Detroit and connected with it by rail and fast electric service. The fare by electrics is 25 cents. Another electric line running westward for about 15 miles furnishes connection with Detroit to the central portion of the county. In Pontiac perhaps 75 per cent. of the population are engaged in the manufacture of motor vehicles which practically constitute the only prominent line of industry. It has brought into the city a grade of skilled labor higher than the average. Pontiac impresses the observer as an intelligent, law-abiding and prosperous community.

The local option law had not been taken advantage of until at the present time. The campaign for it began in the winter of 1907 and 1908; and the election took place in the spring of 1908.

The political parties in Oakland County took no decisive stand during the campaign; all party lines were cut and crossed. The campaigning was wholly one-sided. The liquor dealers, secure in their belief that they could carry Pontiac by a sufficient majority to overcome any adverse sentiment of the rural districts, did practically nothing. They lacked organization and, indeed, had no concerted plan of action.

The newspapers remained neutral except that they printed signed articles for both sides; and of such articles it is said that the county daily printed about 20 favoring prohibition to one favoring the retention of the saloons.

The leading element in the campaign in Oakland County as well as in practically all the other county elections was the Anti-Saloon League, which has at its command a complete and efficient organization. It may be said in passing that this body during the sessions of the Legislature at Lansing is in close touch both by telegraph and telephone with their county officers and are able to bring immediate pressure upon members through their constituency in doubtful cases. All the churches united in this campaign, except two. The county officers took small part in the campaign element.

Permission to sell was granted to anyone without regard to standing and personal character.

The total vote cast in Oakland County was 10,777. It is estimated that one-third of the males of voting age did not take part in the election. There were 5,428 votes for prohibition and 5,349 against, giving a majority for prohibition in the whole county of 79 votes. The rural vote (including all of the county outside of Pontiac) stood for prohibition 4,353; and 3,898 against prohibition, giving a majority for prohibition of 455. On the other hand, the urban vote (representing only the city of Pontiac) gave 1,075 votes for prohibition and 1,451 against, being a majority of 376 against prohibition. In the five wards of Pontiac there were majorities in each case against prohibition ranging from 10 to 109 votes.

Local prohibition went into effect May 1, 1908. In Pontiac there had previously been 22 saloons and 8 drug stores dispensing liquors, all located on or near the main thoroughfare. The most flagrant violation of the law on the part of the saloons consisted apparently in selling out of hours. This occurred chiefly at the hotels on Sunday and was more or less watched for by officers. In other respects such regulations as existed were fairly well observed but were insufficient. Yet the saloons did not have the reputation of permitting some of the evils commonly associated with their business.

It is generally conceded both by the prohibitionists and their opponents that the present condition of law enforcement is fairly good. When the law first went into effect about one-half of the saloons closed at once, the rest remained open to sell soft drinks. They were soon proven, however, to be selling alcoholic drinks, and after two convictions of those who had been arrested this business ceased. At the time of this investigation the condition in regard to illicit selling was about as follows:

At the hotels nothing was sold; beyond a club and a few speak-easies there was little illicit selling of the ordinary kind, but the drug store liquor trade flourished. With one exception, the drug stores in Pontiac do not appear to place any obstacle in the way of a person who desires to buy spirituous liquors. The law at this time permitted the purchaser at a drug store to describe the amount and kind of liquor he wished. In short, the restrictions imposed on this traffic were of the mildest order. As evidence of the business done by drug stores, it may be mentioned that during six weeks which were selected at random and included all seasons of the year, the average sales per week amounted to 1,532, that is, the officially recorded sales. How many unrecorded ones took place no one knows. At a single drug store the weekly number of sales during ten weeks ran from 141 to 199. The bulk of the trade of the drug stores is with employees in factories, laborers, farmers, etc.. It is quite evident, both from the official reports of the sales and from other circumstances, that the drug stores at Pontiac furnish a very substantial safety valve under prohibition rule. It may be mentioned that in Pontiac no less than five drug stores are within a stone's throw of the chief hotel.

Perhaps, however, the chief supply of liquor in Pontiac is imported for home consumption from outside. It is said that the habit of bringing the liquor into the homes is becoming more and more common among all classes and increasing rapidly. Expressmen were rushed Saturdays to deliver wet goods from Detroit. Moreover, conditions are much ameliorated for the drinking part of the population by the ease with which Detroit can be reached, and the further fact that seven miles from Detroit at the edge of the county line is a group of saloons.

The attitude of the police is seemingly satisfactory to all parties. The places where illicit selling goes on are unknown to the prohibitionists and also unknown, at least officially, to the police. The two chief sources of supply, the drug stores and the importations for home use, do not come within the view of the police. They are zealous, however, in arresting intoxicated persons, especially if they be the least bit noisy.

In order to catch violators the prosecuting attorney has had the aid of imported detectives, but this does not reflect upon the local police.

In the matter of imposing penalties for illicit selling great severity is not apparent. Out of 47 cases of first offenders 25 had sentence suspended. During the year from July, 1908 to July, 1909, there were in Oakland County 16 arrests for illegal selling which resulted in 13 convictions, one discharge and two cases not determined. The following sentences were imposed: (1) fine of \$450 and 60 days imprisonment; (1) fine of \$210 and 30 days imprisonment; (1) fine of \$110 and 20 days imprisonment; (2) fine of \$200; (1) fine of \$110; (1) fine of \$46 and 90 days imprisonment; (2) fine of \$10 and 65 days imprisonment; (1) fine of \$227; (1) fine of \$75; (1) fine of \$60.

During the year July 1, 1908 to July 1, 1909 there were in all 123 arrests for drunkenness, which number was approximately 100 less than the average for the two years previous; but owing to changed conditions no special significance can be attached to such statistics of arrests.

In regard to the effect of local prohibition upon business in Pontiac, it is difficult to get any reasonable statement. The prohibitionists of course claim that conditions are no worse than they had been, while their opponents naturally claim to see a distinctly adverse effect. That the hotel business has been hurt is clearly evident.

Oakland County voted wet in the spring of 1910 after trying local option for two years with a majority of about 1100; even the rural districts repudiated it.

2. GENESEE COUNTY.

The State census of 1904 gave the population of the county as 42,753. Of the males of voting age, 81 per cent. were returned as native born. Of foreign born there were 2,891 from British America, 950 English, 588 Irish, 566 German, etc. These population figures have to some extent been upset by the rapid growth of the city of Flint, the chief urban community of the county. About five years ago a boom started in this city with the development of the manufacture of motor-vehicles. This boom has grown rapidly. High wages and abundance of work have attracted persons from all over the county as well as from outside. From a population of about 14,000 in 1904, Flint has grown to a city of about 25,000 people, according to a recently published directory. Even this estimate does not include a number of persons living just beyond the municipal line who are virtually inhabitants of the city.

It is estimated that about 8,000 persons are employed in the shops of Flint. Since many employees have come from the adjacent rural districts and in some cases employers have moved in bringing their help with them, it is not believed that the percentage of foreign born has increased greatly. In 1904 about 14 per cent. of the population was rated as foreign born.

Five railroad branches radiate from Flint. There is also an electric road running through Flint between Detroit (60 miles away) and Saginaw 130 miles. The business district of the city comprises about five blocks on a main street, solidly built with extensions along intersecting streets for about a block or more on either side. This gives a constricted business area considering the population of the city. Owing to the boom all property values are inflated.

The first attempt in its history to bring the county under local prohibition occurred in the early part of 1909. The campaign preceding the election, which under the law took place on the first Monday of April, was especially heated and bitter. Indeed the feeling generated had not abated at the time of this investigation. The agitation for prohibition originated in an unusual way, namely, within the city, unaided by the Anti-Saloon League except for its moral encouragement.

According to the local prohibitionists business men felt the need of a change and expressed it. On being approached in the matter, the Anti-Saloon League stated that it did not desire to take part in the fight, partly because successful action in Genesee County did not seem possible, the city of Flint especially not being deemed ripe for prohibition; and, partly

because the campaign of the League for the year was already planned to cover other counties, and Genesee County could not be included, it was held, without weakening the chances of success elsewhere.

Another current story is that when local sentiment on the saloon question had been stirred up, the Anti-Saloon Laegue was approached and requested to take charge of the campaign. The League offered to do so upon the payment of \$3,000, and when the money was not forthcoming, refused to enter the field. The local workers thereupon assumed control.

The prohibitionists followed the usual methods of campaigning with speeches in churches, on street corners, etc., and indulged in much personal canvassing. At one time two car-loads of men, supposed to be leading business men from Oakland, were brought over to make speeches in favor of county prohibition.

The fight of the opposition was extremely well organized. Complete mailing lists of voters in each township were prepared. A variety of literature and circulars were distributed in large lots. During the last days of the campaign a force of ten women was employed at headquarters and 60 paid workers were set to work in the factories to influence voters and catch the drift of opinion. On election day paid men were at the polls to check the votes, and laggards were sent for in conveyances. Experts of both parties canvassed every township in advance to ascertain the vote.

The dominant political parties did not appear to influence the election in any way. Both parties made use of the daily paper published at Flint. At the time of the investigation it was publishing the number of arrests for drunkenness, the sales of liquor by druggists, etc., but without comment. The opposition felt that during the campaign this newspaper on the whole favored the prohibitionists.

The total vote of the county stood 5,941 for prohibition and 5,453 against, giving a majority in favor of outlawing liquor selling of 488 votes.

The vote in Flint, by wards, was as follows:

Wards	Yes	No
1	532	902
2	335	543
3	479	502
4	215	247
5	438	458
6	243	360
Totals,	2,242	3,012

There was thus a majority in Flint against prohibition of 770 votes.

Next to Flint the largest urban community is Fenton, which in 1904 had 2,600 inhabitants. At this election the vote of Fenton stood 537 for prohibition and 376 against, giving a majority for prohibition of 161 votes.

Regarding the vote of Flint and Fenton as representing the urban sentiment and the vote of the remainder of the county as representing the rural sentiment, the distribution of the vote was as follows:

	Yes	No	Majority
Urban vote.....	2,779	3,388	609 (No)
Rural vote.....	3,162	2,065	1,097 (Yes)

Here, as usual, the rural vote decided the issue and prohibition was forced upon the urban population against its desire as expressed at the polls. It is interesting in this connection to note that in practically every instance the vote against prohibition in townships outside the cities was larger than estimated in advance by the expert canvassers of both sides.

Just preceding May 1, 1909, there were in Flint 29 places dispensing liquor, 4 hotels and 25 saloons. The rule of the authorities was said to be to limit licenses to one for every 1,000 inhabitants; but it hardly seemed probable that Flint at this time contained 29,000 people. There were also 16 drug stores. In the county there were 48 places (hotels and saloons) at which liquor was sold and one brewery.

As has been noted in Michigan, the State imposes a tax of \$500. In Flint a local tax of \$500 was added. After this tax had been in force for about a year, and also a year prior to the adoption of local prohibition, the liquor dealers determined to persuade the city council to remit it. The deciding vote lay between two new councilmen. Delegations called on them privately as well as at the session at which the question came up for action. At this meeting both business men and the clergy appealed to council to retain the tax, which was done. The attempt on the part of the dealers to have it removed was not forgotten during the ensuing campaign.

Aside from imposing an extraordinary tax, the city of Flint was also distinguished for having adopted strict regulations in regard to saloons. It was required that each application for a license sent to the City Council should bear the signatures of twelve reputable citizens certifying to the applicant as being an orderly and reputable person, etc. Each application had to be published in local papers six days before action was taken by the Council. A person granted a license had to agree that it might be revoked at any time. The saloons were not permitted to locate anywhere except in the restricted business area. There were further regulations forbidding gambling, slot machines, the sale of liquor to intoxicated persons, women, minors, and enjoining closing on Sundays, election days, and holidays. The business hours were restricted on other days from seven o'clock in the morning until ten o'clock at night. It is claimed by some sympathizers that the saloons obeyed these regulations "pretty well." The consensus of fair opinion seems to be, however, that the regulations were not lived up to.

At the time of the investigation local prohibition had been in force for about three months, and the question of enforcement was, therefore, in its first stage. The old bars were for the greater part kept open for the sale of soft drinks and apparently they were not taking chances in regard to violation of the law, except possibly as a personal favor to friends. One such bar which had entire control of a very popular beer called near-beer was doing a profitable business.

No estimate could be had of the number of other places doing an illicit business. Several clubs were said to furnish liquor contrary to law. Meanwhile the drug stores were doing a very large business as dispensers of spirituous liquors. During the first week the law was in operation the sales for the county were reported to the prosecuting attorney as 1,423, of which 618 were made in Flint. During the week of August 14, the total of 3,877 sales had been reported for the entire county, and during the week in question and the two preceding ones the sales through drug stores in Flint were respectively 2,391, 3,126 and 3,193. One drug store dealer in Flint had 207 sales recorded in the same week, of which all but one were said to be for medicinal purposes. Among the liquors thus sold at drug stores are enumerated, whiskey, brandy, alcohol, rum, etc. Apparently most of the customers buy in quantities of one pint at a time. Even if sales recorded were of half pints on the average, it will be seen that the daily sales in Flint, Sundays included, amounted to more than 100 quarts of spirituous liquors per week. This, however, is much too low, because the average amount sold is nearer one pint than one-half. Moreover, a great many sales are not recorded by certain druggists. If the would-be purchaser is known and the seller knows that he can rely on his not becoming intoxicated, a record of sale is often omitted. In the case of certain drug stores it is reasonable to suppose that not more than one-half of the actual sales are recorded.

The common method in Flint appears to be for a group of men to club together putting in five or ten cents each for purchasing liquor at a drug store. One man is sent in to buy it, and the group then retires to a back alley or room, or go to a soft drink place where glasses are furnished, and where they pay a few pennies for some soft drink. This process of drinking can easily be observed, and one of the dispensers of soft drinks when asked if it frequently happens in his establishment replied at least a hundred times a day. This drug store traffic apparently accommodated all classes.

Some former saloon men are now agents for breweries in Detroit and other cities and furnish importation especially of beer for home use. One man engaged in this business being asked to make a conservative guess of the number of cases coming to the city and going to the homes each week replied that to put it at 1,000 cases of two dozen bottles per case each week was rather too low an estimate than too high. Of course this does not include the large sale of the so-called near-beer.

Liquors are imported by express and freight chiefly from Detroit and Saginaw. The boot-legging trade gets its supply from Saginaw or from Frankenmuth, just across the county line. If one could place any confidence in the arrests for drunkenness, their number would appear to have taken a considerable upward trend since local prohibition went into effect. But the figures are misleading. Formerly the police observed the rule of sending as many intoxicated persons home as possible. At the time of the investigation they followed the rule of arresting nearly all who were found drunk. At one time during the investigation it was reported that the persons arrested between Sunday and Monday and held for trial in a jail containing twenty-two cells was 55. At all events it can be asserted that drunkenness has not been extirpated. It has also been accompanied by considerable

disorders. According to the chief of police, drunkenness increased after the first few weeks of the operation of the law. Other authorities hold that the persons who become drunk are chiefly non-residents of Flint. Disorders are certainly not infrequent as the local papers abundantly testify and occasionally graver offences occur, the participants in which are said to have been intoxicated.

Since the law had been in operation for so short a time, it was too early to judge of the probable trend of effort in regard to enforcement. From present appearances it seems likely that the prosecuting attorney will confine his attention to the operation of the law in the county outside of Flint and leave Flint to the mercy of the municipal authorities. Of course there is a likelihood of effort on the part of the prohibitionists to make the prosecuting attorney take a vigorous stand. The local police so far have not made any arrests for illegal selling, and there was no indication that they had made up their minds to stop the illicit traffic.

So far no case of violation of the prohibition law had been brought to trial. Three cases were pending, two of them against druggists outside of Flint and the third against a former saloon keeper of Flint who was running a soft-drink place and accused of selling spirits. Since the city of Flint was enjoying a period of unusual prosperity, in fact a boom, it is evident that the short experience with local prohibition could not have affected business interests one way or the other. Under present conditions the loss to the city of \$21,000 from liquor licenses is not so serious as it might be under less prosperous conditions.

As happened in other instances, there was at least one township in which persons in sympathy with liquor selling voted for prohibition purely from spite as the supervisors had refused permission to establish saloons to them. It was a case of persons not desiring others to enjoy the privileges denied themselves.

3. MIDLAND COUNTY.

Midland exemplifies the operation of local option in a somewhat sparsely populated and almost wholly rural county. The total population in 1904 was but 14,636, of which 2,520 were accredited to the city of Midland, the county seat, which is the only urban community, its next competitor having less than 1,000 inhabitants. Of the males of voting age about 68 per cent. were native born. Among the foreign born, British America was represented by about 1,500 persons; there are also a few hundred Germans and some English. There is some evidence of growth both in Midland and the county districts. Except for a single manufacturing plant at Midland which employs about 200 hands, most of whom are unskilled, the county is exclusively agricultural. Its natural resources are still somewhat undeveloped. Two railroads traverse the county, but there is as yet no electric service. Twenty miles away to the east lie Bay City and Saginaw, centers of trade which license the sale of liquor. Freeland and Auburn located, respectively, in Saginaw and Bay Counties, are other points within driving distance of Midland folks where supplies of liquors may be had. The county is bounded on three sides by "wet" territory.

There had not been any test of local option until the county voted to prohibit liquor selling after May 1, 1908. The preceding campaign was without any notable features. Political lines were generally obliterated. The democratic party is so small as to be a negligible quantity. The success of the prohibition element is said to be due to a split in republican ranks which afforded a small band of insurgents a chance to collect enough votes for prohibition to carry the day.

The saloon element carried on a very simple campaign. One person went about the county trying more or less industriously to secure the appearance on election day of voters favorable to the saloons. A few letters were sent out by another man. There was no concerted action, organization or leadership against prohibition. The opposite side had the usual financial and other backing of the Anti-Saloon League. There was the customary appeal through the pulpits and from other platforms, which was also voiced by the weekly newspaper.

The total number of votes cast was 2,918 (not counting the 21 rejected), of which 1,568 were for prohibition and 1,350 against, giving a majority for prohibition of 218.

The urban vote (including only that of the municipality of Midland) stood 291 for prohibition, and 331 against, giving a majority against of 40 votes. Yet many of the factory hands are said to have voted for prohibition. Outside of the city, 1,277 votes were cast for prohibition and 1,019 against, giving a rural majority for prohibition of 258 votes.

Prior to May 1, 1908 there were twelve saloons in the county, eight of which were located in the city of Midland, thus rather over-salooning this community. No local regulations were in force concerning liquor selling. Some of the places were not run in orderly fashion.

In obedience to the mandate of the voters, the saloons have ceased selling. For a number of months subsequent to the election a former saloon keeper conducted a soft-drink place and supplied his friends with liquor. He was finally put out of business by the aid of a detective imported from Kalamazoo. Three "speak-easies" are in operation, but sell only to "friends." Two are conducted for "accommodation" rather than profit, but one connected with a hotel has mainly profit in view. The drug stores supply the demand for intoxicants to a considerable degree, their recorded sales at different periods running from 294 to 494 per week. There is, moreover, a large home consumption, particularly of beer. Much of this is brought in by the consumer himself from neighboring territory under license, or shipped from Bay City, Saginaw and Detroit. It was estimated that at least 400 cases of beer per month reached Midland through the regular channels of shipment. Whether under these conditions there has been an actual diminution in the amount of liquor consumed, is an open question.

Up to the time of the investigation there had been made four arrests for illegal selling in the county, two occurring in Midland city. The accused had been placed on probation but were made to pay fines ranging from \$75 to \$200. The prosecuting attorney of the county is rated as sympathizing with the prohibitionists. The entire police force of Midland consists of a nightwatchman. He and the county sheriff make the arrests. The im-

perfect records do not permit any deductions from arrests for public intoxication. The same is true in regard to other offences.

There seems to be a general agreement to the effect that prohibition has injured local trade, but no agreement in regard to the extent of the injury. Presumably some of the trade has been transferred from Midland to nearby cities under license.

4. OSCEOLA COUNTY.

Although this county contained a population in 1904 of 18,633, there is not an incorporated city within its limits. The community nearest approaching a municipality is Reed City which was made the center of observation. At the last census its population was placed at 2,000, but the number has since decreased and probably does not exceed 1,700. While the most populous center, Reed City is not the county seat, but a village by the name of Hersey with only 315 inhabitants in 1904.

The distribution of population by nativity is closely akin to that noted for Midland County. About 68 per cent. of the males of voting age were native born. Among the foreign born element, those from the British Provinces predominate, of which there were about 1,500; three were also about 600 Swedes and an equal number of Germans. Agriculture is about the only pursuit. The villages have no special industries. The main lines of two railroads pass through the county at right angles, and a third runs through its northeastern corner.

There had been one previous experiment with local prohibition. In 1896 the county by a majority of 67 voted to exclude the saloons. Two years later (1898) another election was held which resulted in 1,015 votes for prohibition and 1,155 against, giving a majority of 140 against prohibition.

The reason for the return to a license policy is conceded to have been the absence of proper enforcement of the law. Prohibition meant nothing except in name. Some of the places formerly licensed as saloons continued to sell almost openly. The druggists were under less restraint than now and helped to make the law a farce. Sentiment in favor of enforcement was not wholly lacking, but it proved inadequate.

In 1907 a new campaign against liquor selling was inaugurated and resulted in placing the county under local prohibition after May 1, 1908.

The Anti-Saloon League directed a strenuous fight and was thoroughly supported by local talent. In fact, the man who was the leader of the prohibition forces is said to have died from over-exertion due to this campaign. He had made a house to house canvass of the county side and was also largely aided in it by women. On election day women worked at the polls and children paraded the streets with banners, etc.

On the other hand, the campaign of the anti-prohibition element was ineffective. Beyond using the mails a little, nothing of any consequence was done. No one directly connected with the saloons seemed interested in the work of the opposition.

The political parties remained neutral. In the election of county officers, the political hue of the candidate is of secondary importance if his

office in any way touches local prohibition, in which case he is certain not to favor license, for that would mean his defeat.

At the time of the election there were no less than nine saloons in Reed City. The business of liquor selling was overdone. The only license tax was that prescribed by statute. There were no special local regulations. The saloons remained open until 10 o'clock at night and were not reported as disorderly. The existing regulations were enforced.

In respect to present enforcement, conditions in Osceola County are unusual. It was stated on competent authority that at the time of the investigation illegal selling had completely ceased. At first former dealers tried to evade the law, but the strenuous endeavors of the prosecuting attorney and the sheriff, together with the extreme penalties imposed upon offenders, soon stopped it. Even the drug stores have been made to obey the law. One village druggist went so far as to refuse to pay the federal tax and asked a local paper to notify the public that he would not sell liquor to anyone. He had been doing a business in liquors, but decided after other druggists had been heavily punished that he would not take any chances which might land him in jail. Previously three druggists had been arrested for illegal selling and had been convicted. One was sentenced to pay fines and costs to the extent of \$285; a second was given six months in jail; a third was fined \$175 and sentenced to imprisonment for thirty days. Other sentences for illegal selling have been: (1) \$150 and 3 months; (2) \$175 and 90 days; (1) six months; (1) two months; (2) paroled; (1) \$275 and 3 months. Eleven persons were represented by the above sentences, but in connection with sales at seven places only.

For the week ending July 21, 1909, only 81 liquor sales had been made in the whole county through druggists, and 27 of these were credited to Reed City. That these sales were for proper purposes no one seemed to doubt.

The reason for the success of the enforcement is no doubt largely due to the fact that the county is ruled by the sentiment of the farmers who are generally strenuous prohibitionists. The county officers are elected by the farmers and chosen for their adherence to the prohibition side. There is no local police and no opportunity for collusion. The juries consist for the greater part of farmers who are eager to convict illicit dealers. The county still gives financial support to the Anti-Saloon League. Attempts made to pave the way for a re-submission of the liquor question to the voters have been met with rebuffs. In Reed City shopkeepers and others are much more outspoken in favor of prohibition than is usually the case, though they wish the good will of both sides. There seems little likelihood of a change of sentiment taking place at an early date. At the present time private detectives are particularly feared and everyone is suspicious.

It can hardly be claimed, however, that the county is absolutely "dry." Among a younger class in Reed City a dress-suit case trade flourishes. Paris, a well-salooned village, is only seven miles away and accessible by convenient evening trains and is being patronized from Reed.

Fifteen miles away is Big Rapids, in Mecosta County, which is another point of supply for the dress-suit case trade. Grand Rapids is the principal point of supply for importation, as to the amount of which no state-

ment can be offered. As in times under license, there are still occasional arrests for drunkenness.

5. WEXFORD COUNTY.

Except for the city of Cadillac, the county is purely agricultural, although a remnant of the old business is still in evidence. Considerable land is not under cultivation, a fact that is reflected in the comparatively low property valuation of the county. In 1904 it had a population of 19,217, of which only 3,451 were returned as foreign born; 1,242 of these were from the British Provinces and about an equal number from Sweden. Of the males of voting age, 69 per cent. were recorded as native born. There has been a steady growth of population, which is now reckoned at about 22,000. Railroads cut the county from north to south through the eastern edge and from the southwest to the northeast. No electric service has been developed.

Cadillac, the county seat, and only urban community deserving to be so called, had in 1904 a population of 6,983 which is supposed to have increased to about 8,000 at the present time. This attractive and beautifully located city has every appearance of prosperity. Of its inhabitants eight or nine hundred men are engaged in the manufacture of wood products and perhaps 200 more in other manufacturing occupations. The foreign element is becoming important among these employees, Swedes and French Canadians being the most numerous.

Until 1908 the county had not experimented with local option. The prohibition campaign was inaugurated in February of that year. Those opposed to the movement apparently felt so sure of defeating it that they neglected to organize with any degree of care. Beyond some irregular mailing of reading matter, there was really nothing done. To be sure, the efficiency of the losing side in a campaign is always difficult to measure. As usual, it was claimed by the prohibitionists that the liquor element put up a "big fight."

The prohibition campaign was originated and conducted by some of the local clergy together with a representative of the Anti-Saloon League. They maintained headquarters with a paid secretary and had the aid of local representatives in city and county. A great deal of material was mailed to voters. For the rest their campaign lacked notable features.

No political party lines were in evidence. Of the three newspapers, one sided with the liquor saloon interests, while the other two were neutral. The city officials of Cadillac were outspokenly in favor of retaining the saloons. The county officials leaned in part toward the same side.

The election resulted in 2,109 votes for local prohibition and 1,757 against, giving a majority in favor of local option of 352.

The vote in the city of Cadillac was as follows:

	Yes	No
Ward 1	116	256
Ward 2	217	277
Ward 3	187	241
Ward 4	108	127
	—	—
TOTAL	628	901

Cadillac thus gave a majority against local prohibition of 273 votes. As usual a number of blank ballots were cast.

Considering Cadillac as the only urban community the vote stood:

	Yes	No	Majority
Urban	628	901	273 (no)
Rural	1,481	856	625 (yes)

Once more, therefore, the issue was decided in favor of prohibition by the rural vote in express opposition to the wishes of the urban community which was the principal one to be affected.

At some time previous to this local option election there had been 23 saloons in Cadillac. Just preceding May 1, 1908, when the result of the election became effective, their number had been reduced to 19, two of them being connected with hotels. In addition to the statutory tax of \$500, the City Council imposed a local tax of \$500 upon each saloon. Beyond this there were no special ordinances regulating the conduct of the saloons, except that the hour for closing had been fixed at ten o'clock. Evidently Cadillac had a surplus of liquor places. As a class they were not under efficient control, and some of them were badly conducted. These general conditions of the traffic no doubt contributed to the success of the vote in favor of local prohibition.

There is apparently no open selling of liquor at any of the places formerly conducted as saloons. The dress-suit case trade does not flourish. This may be due to the lack of territory under license within convenient reach of Cadillac and other parts of the county. There were, however, a number of speak-easies. Just how many was a little vague. There might have been seven or eight. The man who wishes liquor must either import it, which is a custom of the more substantial class, or he must resort to the speak-easies which are patronized chiefly by the laboring class; or he must go to the drug store. According to the official returns of the drug stores in Cadillac, their sales were surprisingly small; for instance, for the week of August 2, 1909, they amounted to only 318 for the county, of which 163 were credited to the city of Cadillac. It was stated by an official that certain drug stores in the county outside of the city were the chief offenders in the matter of liquor selling. The impression was gained, however, that only a very small percentage of the sales at some of the drug stores in Cadillac was recorded. One such store had a few sales and actually discouraged them; another without discouraging sales probably recorded most of those made; three others had a working agreement whereby their customers rotate. In this way suspicion of improper selling was averted. The customers objected to the usual drug store liquor and induced the proprietors to import better brands, promising to buy from them instead of sending out of town. Sales made under such circumstances are probably never recorded.

Of the amount of importation for home consumption it was impossible to give any estimate, but it evidently had reached no mean dimensions. Supplies came in chiefly from Traverse City to the north, and Grand Rapids to the south. The attitude of the prosecuting attorney was distinctly in favor of rigid enforcement. He had recently been re-elected on a prohibition ticket. A certain judge, recently removed had proved so partizan in his

endeavor to suppress liquor selling that two sentences imposed by him were reversed by the higher court on the ground of improper conduct on the part of the Court, namely in the charge to the jury and in the remarks made to the prisoners. On the other hand, the sheriff of the county was a man of opposite sympathies. So far only two or three cases of illicit selling had been carried to a successful issue in the county.

In the city of Cadillac six arrests for illegal selling had been made. They had not been made by the police but by the sheriff. These arrests had not resulted in any conviction at the time of the inquiry. The police of Cadillac are strongly opposed to prohibition and the "dry" members of the force have been ejected. The police board was re-elected on a "wet" ticket and felt that the sentiment of the city is behind its do-nothing policy. It may be taken for granted that the police knew all about the speak-easies referred to above, but did not endeavor to make arrests. They left them to the sheriff who so far had been unsuccessful in the matter of securing convictions. No suggestion was made of collusion between the police and the dealers in the sense of money being used to buy immunity, but there was evidence of what may be called a working agreement in which probably some of the drug stores were participants. It is stated by the police that the number of arrests for drunkenness had fallen off one-third under local prohibition, but in view of their attitude on the question of enforcement it is clear that no reliance could be placed on such a statement from that source.

Both sides express contrary opinions in regard to the effect of local prohibition upon general business. An unbiased judgment is exceedingly difficult to obtain; moreover, too short a time has elapsed to make possible any conclusive evidence on this point.

6. CLINTON COUNTY.

Although larger than some of the other countries described in preceding pages, Clinton County is almost exclusively rural and depends wholly upon agricultural pursuits. The total population in 1904 was 25,208. The foreign born element was so slight as to be almost negligible, which may be inferred from the fact that no less than 68 per cent. of the males of voting age were returned at the census as native born. There is, however, a sprinkling of Germans, British Americans, and of English.

The only community with a city government is St. Johns, the county seat, which had a population in 1904 of 3,768. Next in size is the village of Ovid with about 1,200. The other villages all fall below 1,000 in population.

The city of St. Johns, located near the center of the county, is inhabited almost exclusively by people of native birth. Although there are some signs of former activity, the city presents on the whole rather a dead appearance. The stores are numerous, but no building in process. Few guests are observable at the hotels. In general, signs of bustle and growth were lacking. One railroad trunk line passes through the county and the city of St. Johns. The latter is also connected with Lansing, the State capital, by an electric line, distance 15 miles.

It is estimated that not more than 3 per cent. of the population are employed in manufacturing. The remainder are chiefly tradesmen with the usual sprinkling of professional men. In other words, the city depends for its sustenance wholly upon the rich agricultural districts surrounding it. About four years ago the chief industry moved west. It had employed from 125 to 150 men.

The first attempt to introduce local prohibition in Clinton County occurred in 1896. Then the vote stood 1969 in favor of prohibition and 2,201 against. The second unsuccessful attempt was made in 1903, the vote being 2,358 for prohibition and 3,141 against. The only explanation offered of the increased vote in favor of saloons at the election of 1903 was that saloon interests had at that time a perfect working organization for defence and sufficient time in which to carry on the fight.

The last campaign, that of the Spring of 1908, was backed by the Anti-Saloon League and conducted by one of their local representatives. The usual methods obtained of working for prohibition through the churches. In printing articles favorable to prohibition the co-operation of two weekly newspapers published in St. Johns was had; both took extreme ground. There was also a great deal of printed matter obtained and circulated from the headquarters of the Anti-Saloon League.

The opposition had the semblance of an organization, but apparently its efforts were only spasmodic. There was not even on hand a complete mailing list of the voters of the county. The chief literature distributed by this side consisted in scattering comments on the failure of prohibition which had chiefly been collected from Van Buren County. Among the spokesmen for liquor selling were some who hurt their own side more than they helped it.

The county as a whole is strongly Republican; but party lines did not enter into the contest.

The election resulted in 2,997 votes in favor of prohibition and 2,655 against, while 47 blank ballots were cast. There was thus a majority of 322 in favor of prohibition. It is estimated that about 72 per cent. of the voters took part in the election.

In the city of St. Johns 445 votes were recorded in favor of prohibition and 468 against, giving a majority against prohibition of 23 votes.

Just previous to May 1, 1908 when local prohibition went into effect, there were 23 saloons in the county, of which 8 were located in St. Johns, one of them being a hotel bar. There were also 4 drug stores in the city. No local ordinances were in force regarding liquor selling, except that the saloons had been given the privilege of keeping open until 10 P.M. No evidence pointed to disorderliness in liquor selling places. On the whole they appear to have obeyed the statutory law.

According to reliable authority there was not a speak-easy or club or other organization in St. Johns selling illegally at the time of the investigation. A certain place at which soft drinks were dispensed had been under suspicion by the town's people and watched by officials, but was found to be honestly conducted. Under pressure from officials of prohibition leanings, the four drug stores of St. Johns were steadily reducing their sales.

On the other hand, the number of sales per drug store in other parts of the county showed a steady increase. It was asserted that the proprietors of the four city drug stores met weekly and crossed off from their list of purchasers the names of those who had appeared too frequently as buyers of liquor. Detectives were constantly watching the drug stores of St. Johns but had not succeeded in making any arrests.

As indicating the growth in sales by drug stores for the county as a whole, the following figures are of interest:

May,	1908, 1,521 sales	October,	1908, 4,223 sales
June,	1908, 1,877 "	November,	1908, 4,394 "
July,	1908, 1,887 "	December,	1908, 3,448 "
August,	1908, 3,781 "	January,	1909, 3,366 "
September,	1908, 3,226 "	February,	1909, 4,129 "

In view of these very excessive sales and remembering that they represent only those "officially" recorded, it does not seem likely that unless a person were a notorious drunkard he could have special difficulty in obtaining all the liquor he wanted in Clinton County, if he will but say that it is for "medicinal" purposes.

The consensus of opinion had it that importation for home use has increased under local prohibition. The saloon men say it has increased much, while the prohibitionists say it has increased some. But even the prosecuting attorney, himself a prohibitionist, admitted that there had been a considerable increase in home consumption. The smaller shipments come from Owosso, which is a nearby point, the larger quantities from Detroit and Toledo in Ohio. The so-called "boot-legging" is chiefly done from Lansing. Since May, 1909, the county to the west has been placed under prohibition, but there is easy access to territory under license in other directions, although the distances are too great from St. Johns to induce people to undertake the journey merely for the purpose of buying liquor.

From May 1, 1908 to May 1, 1909 five persons were arrested for selling illegally. One was discharged. Three were sentenced as follows: one to pay a fine of \$75 and to be imprisoned for 60 days; one to pay a fine of \$75; and one to pay a fine of \$50, and imprisoned for 30 days. In one case the exact nature of the sentence was not ascertainable. There were also four convictions for giving away liquor in public places.

The question how far local prohibition has hurt or helped the city of St. Johns has given rise to considerable discussion. As was noted above the city sometime previous to the election received a hard blow to its industrial life. This makes it difficult to arrive at any competent opinion. The fact is that the city men dare not talk freely about the matter. As one business man stated, "No man doing business in St. Johns, if he depends on county trade, can talk against local prohibition without hurting his business." In other words, it is a business policy to appear in favor of the existing order of things. The farmers rule the county and are strongly in favor of local prohibition. It went dry because the farmers wanted it so. A tradesman who dared to sign a petition for the liquor measure at a legislative session was approached by a delegation of farmers who told him that he had, of course, a perfect right to sign any such petition if he wished, but that if he

did so again they would certainly withdraw their trade from him. It will thus be seen that a distinct element of boycott enters into the conditions.

There is a local organization whose membership is unknown which has for its primary object to assist by giving funds and in other ways the enforcement of prohibition.

7. JACKSON COUNTY.

This is the only county under local prohibition in which the urban population outnumbers the rural. Of the total of 47,122 (census of 1904), the city of Jackson contained 25,300 and the remainder of the county 21,822. This gave an urban majority of 3,478. There is no urban community outside of the city of Jackson. The place next in size is the village of Grass Lake, which in 1904 had a population of 692; and the largest entire township had only 1,631. The foreign born element is comparatively small, about 5,000, representing for the greater part Germany, England and Canada. No less than 83 per cent. of the males of voting age were returned as native born. Except in the city of Jackson there are no industries, agriculture being the only pursuit.

The county is well supplied with railroads. Several main lines enter Jackson and radiate with their several branches through the county. There is also an interurban electric line across the county from east to west which offers rapid and cheap service.

On account of its size, as well as for other reasons, the city of Jackson was made the center of observation. A recent local directory gives its present population as 30,330. It is certainly not larger and possibly smaller. The lack of any marked gain in growth had provoked a good deal of local discussion. As industries and people were seen to pass on, the feeling was voiced that something needed to be done to stimulate the growth of the city. Be this as it may, Jackson gives the impression of a busy place of considerable wealth. Besides being the center of trading for rich agricultural districts, it is essentially a manufacturing place. The numerous industries give employment to a majority of the inhabitants. There are also many persons engaged in transportation, as Jackson is a notable railroad center. There is a street car service, several hotels, and some club life, two daily newspapers, etc. Most of the foreign born inhabitants of the county live in Jackson, where they dominate politics in two or three of the 14 wards.

Back in the eighties an attempt was made to place Jackson county under local prohibition, and a majority of the votes cast actually favored outlawing the saloons. But the legality of the election was questioned on technical grounds. After the matter had been ventilated in several courts the election was finally declared null and void. Since that time and until the year 1909, Jackson county has not experienced a local option election.

In order to understand the nature of the campaign which led to the adoption of local prohibition, it is necessary to describe at some length the conditions existing in Jackson at that time.

At the time the board of supervisors passed upon the petitions for a local option election there were 103 saloons in the county, of which 86 were located in the city of Jackson. For years the saloon men had

controlled the municipal machinery. The leader of the liquor sellers, himself an owner of several saloons, was an alderman, a position occupied by him for many years. In the board of aldermen was also another saloon keeper, and in the city council the saloon interests were able to command a majority of from five to nine votes.

The saloons were not confined to any special locality, but located where the proprietors pleased. Complaints were made of their being run in a disorderly manner.

The prevailing conditions were openly deplored in a daily paper, at that time a neutral tint on the question of prohibition. This publication demanded and indeed originated a movement for a better regulation of the liquor traffic. In doing this it was helped on by some local tragedies. A policeman had become intoxicated while on duty and on returning to the station-house shot and killed his superior officer. A farmer, while in a state of intoxication, was run over and killed by one of the interurban cars. These and other deplorable events set forth in the newspapers served to attract general attention to the evil conditions of the saloons.

Finally a meeting of business men was held which resulted in a business man being put forward as mayoralty candidate, not with the idea of bringing about local prohibition, but to ensure a clean business administration of city affairs. The leaders of the two political parties decided to let this citizens' candidate win and thereby in the end deliver a blow to the reform element. Accordingly he was elected. This was more than a year prior to the campaign for prohibition.

The new mayor soon found himself powerless. The city council steadily refused to confirm his appointments to the more important offices. It cared little for positions on the library or hospital boards, but grimly hung on to its control of the police, board of assessors, etc. Backed by public opinion, the mayor endeavored to pass an ordinance for a saloon district in the city. In answer the saloon ring in the council appointed its own committee to outline a saloon district, and, naturally, it was seen to that the saloons owned by men in the council or by their friends were not made to suffer. The plan ended as a farce.

As a sop to public opinion it was determined that saloons should close at eleven o'clock at night, except that places with restaurant attachment might keep open indefinitely. In answer to this, saloons not doing a restaurant business provided themselves with hot food, and continued open at any hour they pleased.

Such were the conditions of liquor selling at the time the local option campaign began. It had become increasingly evident that the mayor was powerless to institute reforms. The Anti-Saloon League expressly advised postponing the agitation for two years, but citizens, whether affiliated with pronouncedly temperance churches or not, determined to go ahead. The newspapers which had advocated regulation of the saloons now came out strongly for local prohibition. It was a movement originating within the city.

At the outset the saloon men ridiculed the agitation. The first realization of the seriousness of the situation came with the filing of the

petitions for an election, which showed many more signatures than were necessary. In answer the city council passed a resolution by a vote of 9 to 4 calling upon the board of county supervisors whose duty it is to pass upon the sufficiency of the petition and orders an election, to refuse action on the ground that the city of Jackson needed the \$22,500 accruing to it from liquor taxes. This vote met with public derision as an absurd reason for denying citizens a chance to express an opinion, and the supervisors ordered the election. This was in January of 1909.

By the middle of February the liquor sellers grew anxious. After a big fight in the council which involved chiefly the dealers themselves, for the few other members apparently took no part as they were waiting for the outcome of the election, it was resolved to eliminate eight saloons. This would have left their number at 73, for one or two had already failed of approval by the council. But such measures could not stop the agitation.

Meanwhile the prohibitionists were conducting a vigorous campaign. They were aided not only by local talent but by speakers of State and national reputation, as the Anti-Saloon League had taken a hand. The men who rallied to the support of the movement were not all sentimentalists of one idea only. The newspaper referred to, which had helped to bring about the agitation, even expressed doubts about the workability of local prohibition, and suggested that some form of regulation might possibly be wiser, but insisted upon the necessity for a cleaner city government which, it maintained, could only be secured by getting the saloons out of local politics.

One feature of the campaign was the formation of a "business men's alliance." This organization, which was joined by practically all the leading business men of the city, found itself between two fires. The conditions brought about by the saloons were deplored by them, yet there lurked the fear that the adoption of local prohibition would injure business. On March 24, only 13 days before the election, the alliance drew up a set of regulations for the conduct of the saloons, which was submitted to the city council and promptly passed by that body. Under these regulations, a license fee of \$250 per annum was added to the State tax of \$500. The number of saloons were not to exceed one for every 700 inhabitants. The hours of sale were to be from 6 o'clock A. M. to 11 o'clock P. M. No screens were permitted in the saloon windows. Two convictions for violating these rules forfeited the privilege of selling. Even at this stage of the campaign the dealers objected to the proposed regulations as being too severe. The formation of the business men's alliance, as well as its action, was commended by some, and no doubt contributed to swelling the majority which the city of Jackson finally gave against prohibition. But it was too late to stem the tide.

Excitement ran high through the city, culminating on the first Monday in April when the election was held. The vote of the county stood: For prohibition 5,773, with 5,709 votes against, giving a majority in favor of prohibition of 64 votes. The urban vote (that of the city of Jackson only included) divided itself into 2,204 for prohibition and 3,498 against, being a majority of 1,294 in favor of retaining the saloons. The rural districts, on the other hand, gave 3,569 votes for prohibition and 3,498 against, or a

majority for prohibition of 1,358. Out of a total of three townships in the county, only three gave majorities against prohibition, the largest being a majority of 68 in a total of 342 votes cast. In the city of Jackson three of the fourteen wards gave majorities favorable to prohibition, the largest being 139 out of a total of 559 votes.

The anti-prohibition forces carrying the city of Jackson succeeded in electing their candidate for mayor, thus assuring sympathy for the old order of things in that quarter.

The question of enforcing the prohibition law in Jackson was in its first stage at the time of the investigation. There had previously been 86 places for dispensing liquor, five being at hotels. Of the latter, at least one was selling illegally while three had ceased. Practically all of the old saloons kept their doors open, ostensibly selling soft drinks. Under this guise most of them (according to some authority, all) were providing known customers with liquors and drew patronage from all classes. Much drink was dispensed at clubs of which there were several that ostensibly had no other purpose. The drug store liquor traffic had not assumed large dimensions, although indicating a growth during the four months of prohibition. This is reasonable, as there were numerous other sources of supply.

One concern in Jackson was still selling and delivering beer with great freedom. There has always been a large importation from outside of this article, as is attested by the fact that three breweries located in other places keep teams in Jackson for the delivery of their goods. There is no doubt that this trade has greatly increased since local prohibition became effective. Detroit, Toledo, Kalamazoo and Grand Rapids are the shipping centers. Just beyond the county line the license city of Chelsea, in Washtenaw County, is within easy reach by electrics, automobile or team.

The police do not attempt to arrest persons for illegal selling, but are said to shield violators. The sheriff was not found to collect evidence on his own initiative, but of course he would serve a warrant when brought to him. The prosecuting attorney is at least outwardly in favor of strict enforcement, but has so far not displayed any special activity. He had succeeded in stopping loose talk about the way in which the law was being violated by summoning persons alleged to have made assertions about violations and demanding proof. If evidence is not furnished, persons making such allegations, it is said, can be held liable under an old law.

How the question of enforcement will ultimately shape itself could not be forecasted at this early stage. And in view of the abundance of liquor supplies, it would be absurd to try to measure the social effects of this prohibition experiment.

8. VAN BUREN COUNTY.

Special interest attaches to conditions in Van Buren County because it is the only county in Michigan which has had extensive experience with local prohibition. The county is rich in agricultural resources. Its geographical location in the southern part of the State, which gives it easy access to the large markets, has made it prosperous and capable of supporting

a larger population than some of the other counties which have passed under review. In 1904 Van Buren County had a population of 34,965, of which only an insignificant fraction was rated as foreign born. It is estimated that the population of the county now is 37,000 or 38,000, thus denoting growth. Of the males of voting age, no less than 88 per cent. were returned at the census of 1904 as of native birth.

The county is essentially rural, not a single city of any importance being found within its borders. The one municipality, South Haven, had in 1904 a population of 3,767, while Paw Paw, the county seat, had a population of over 1,000, Decatur, Hartford and Barger. The county is well supplied with railway facilities, and has in addition, the benefit of the steamship service on Lake Michigan. South Haven has direct connections with Chicago and other lake ports.

The investigation centered about conditions in South Haven. Because of its location on the shore of Lake Michigan it attracts during the summer months a considerable number of tourists. Although these transients are not frequently tax-payers or voters in the city, their presence has an important bearing on the question of enforcing local prohibition. In some years the population of South Haven is augmented during the summer by more than 500 summer guests. Manufacturing is not developed, but occupations relating to shipping interests furnish employment to a number of unskilled laborers. The community does not exhibit any special signs of wealth. Forty miles to the east lies the city of Kalamazoo, and Chicago is reached by a short night's sail across the lake. Since South Haven lies in the north-western part of the county, and the adjoining county to the north is dry, Kalamazoo serves it as the chief basis of supplies for liquors. The other principal villages mentioned are in the southeastern part of the county and within easy reach of Kalamazoo by rail.

Van Buren began its experience with local option in 1890, and since that time has been under continuous local prohibition. During this period, however, there have been various elections held on the question of prohibiting the sale of liquor, the general results of which were as follows:

Year	Yes	No	Majority for Prohibition
1890	2,599	1,320	1,279
1892	2,918	2,450	468
1897	4,158	2,613	1,545
1903	4,323	3,643	680
1906	4,476	3,077	1,399

Winning politics of Van Buren County is Republican and also "dry," at least outwardly. Persons of pronouncedly "wet" proclivities cannot expect to secure any public office. Most of the county offices are, therefore, occupied by Republicans who are in favor of prohibition. Because of its success in holding Van Buren County for so many years, the Anti-Saloon League is well entrenched among the farmers who constitute the ruling portion of the voters. The sentiment that the county is the oldest one under prohibition in the whole State is made much of. The newspapers without exception favor prohibition. The long régime of prohibition has disintegrated

the liquor selling element, so that it is not a factor of any moment in local affairs. This does not mean, however, that no attempt is made to regain the county for license. It is attempted, but not by systematic work. In the anti-prohibition campaigns, those favorable to legalizing the sale of liquor have been led by men of small repute. Activities have chiefly been in the direction of personal work.

No official record was found of the number of saloons existing in the county prior to the first enactment of local prohibition, nor is it important to know it. The question is how far local prohibition is enforced. In coming to any conclusion on this point, allowance must be made for the fact that South Haven is a summer resort. Usually tourists and the employees attracted to tourist places are inclined to demand intoxicants in some form, and to show little regard for local regulations. These outsiders and the not inconsiderable number of citizens of South Haven who are unfavorable to local prohibition, have at times caused very general violations of the law. For years, it is stated on reliable authority, illegal selling went on openly, or with the connivance of officers, unchecked. During the last year and a half, however, conditions have changed, due no doubt chiefly to the very heavy sentence imposed by the court upon illicit sellers. At the time of this investigation the proprietor of the only kitchen-bar in South Haven was arrested, so that the city was actually free from resorts of this kind. But the strict enforcement did not prevent large direct importation of liquors nor their sale through drug stores. The drug stores are without question the chief sources of supply. In South Haven, as in several other counties visited, it is safe to say that only a portion of their sales were registered. It was estimated that in South Haven not more than one sale in three was properly recorded.

According to official reports 26 drug stores in the county recorded 1,644 sales of liquor in one week during 1909. In Decatur, a village of about 1,400 population, the sales in one week ran up to 351, and in another week to 312. It should be said in fairness that certain drug stores in the county had refused to pay a federal special tax for the privilege of selling liquor because they did not wish to engage in that traffic.

But even more significant than the number of sales which may be officially reported by drug stores is the nature and extent of their liquor supplies. Thus, a prominent brewery in a neighboring city had a standing order to supply one of the druggists of South Haven with 20 cases of beer per week, of two dozen bottles each. In another town of about 2,000 inhabitants, a druggist had given a standing order for the delivery of 40 cases of beer per week, while he frequently sells as much as one barrel of whiskey per week. In South Haven one of the druggists required no less than 23 barrels of whiskey in order to supply local demands during eleven months. During June, July and August the druggists of South Haven handled on the average two and three carloads of beer per week, according to a local estimate.

As another example of the profitable business done by drug stores, the following incident may be told: Three years ago a certain man started in the drug business in Van Buren County, his total capital being only \$165. He has since that time bought out his two partners, paid \$1,300 for a home,

\$1,300 more for improvements, and bought a farm. He is in debt only about \$1,000, and would not sell out his drug business for \$5,000.

Aside from the drug store liquor traffic there is considerable dress-suit case peddling in Van Buren County. A cheap brand of whiskey is obtained in Kalamazoo and other points, usually in quantities of three or four gallons, costing \$1.50 per gallon, which is retailed later on at \$3 to \$4 per gallon.

In South Haven the importation of liquors for home use does not seem to prevail to a considerable extent. This is possibly because the druggists have been in the habit of supplying both beer and whiskey instead of whiskey alone as is common elsewhere. The price of beer in South Haven drug stores was three bottles for fifty cents. There is, however, some private importation from Kalamazoo, Grand Rapids, Detroit, Chicago, Milwaukee, and other places.

It was not anticipated that this condition of affairs described will be permitted to continue. Enforcement in Van Buren County has steadily gained in strictness during the last two years, and the new Search and Seizure Act was expected to compel the druggists to cease operations as general providers of intoxicants. On the other hand, it is stated with some degree of plausibility that the probable result of shutting off all sources of liquor supply will be to make a campaign for the repeal of prohibition so much the easier. In fact, the anti-prohibitionists express the hope that the Search and Seizure Act, especially as it affects drug stores, will be rigidly enforced, as such a course would make converts to their side.

During recent times the penalties imposed have been unusually severe, and gradually came to include imprisonment. This is no doubt in response to a genuine demand that the prohibition law should no longer be made a farce. It is a curious fact that a violation of the liquor law is much more expensive in Van Buren County than in Kalamazoo County, although the prescribed penalty of the law is the same. In fact, a judge who sits in both counties is in the habit of imposing twice as great a penalty in Van Buren as in Kalamazoo for any crime connected with the sale of liquor. It is due to say, however, that this status of enforcement has not existed at any previous period. The time was when during agitation for local prohibition in Michigan those opposed to it derived their weightiest arguments from the flagrant violations of prohibition in Van Buren County.

INDIANA.

The germ of local option legislation in Indiana is found in the acts of 1875, which gave any voter in a township the right to remonstrate in writing against the granting of a license on account of the immorality or other unfitness of the applicant. Remonstrance was lodged with the county commissioners, who were the licensing authority.

In 1889 a law was passed permitting a remonstrant against the granting of a license to appeal to the circuit court of the county if he felt "aggrieved" at the decision of the Board of County Commissioners.

In 1895 the remonstrance act was further strengthened by a provision to the effect that if a remonstrance in writing, signed by a majority of the voters of any township or ward in any city, should be filed with the auditor of the county against the granting of a license to any applicant to sell liquor, it becomes unlawful for the Board of County Commissioners to grant any such license to the applicant for two years after filing such remonstrance.

In the same year (1895) city councils of incorporated cities were expressly given authority to exclude sales of liquor from the suburban or residence portion of the city, and confine the places where such sales might be made to the business portion of the city.

Meanwhile, the general liquor act of 1875 remained in force except as amended in regard to the right of remonstrance, and recognizing the right of city councils to regulate the saloon traffic. Not until 1907 was the general act strengthened in other respects and then chiefly in the matter of increasing penalties for illegal selling and special provisions to prevent it. The local license fee remained at a maximum of \$250 per annum, with an additional \$100 by way of a State tax. In cities the councils, and for other places the County Commissioners, continue as licensing authorities. Only one license can be issued to one person. There are the usual prohibitions against selling to minors, intoxicated persons and outside stipulated houses, etc. Druggists may sell liquor only upon the written prescription of a reputable practicing physician

under heavy penalty for violation, which in the case of a second offence involves imprisonment.

This method of granting local option by means of remonstrance resulted in placing considerable territory under prohibition, but chiefly rural places. It had proved ineffective in coercing cities and was after all an indirect and cumbersome method. After much agitation Indiana adopted a county local option act which was forced through at a special session of the Legislature in September, 1908.

This county local option act provides for an election by counties on the question of prohibiting the sale of spirituous liquors as a beverage upon a petition directed to the County Board of Commissioners and signed by a number of qualified voters of the county equal to not less than 20 per cent. of the aggregate county vote for secretary of State cast at the last general election. A special election must be ordered in not less than 20 nor more than 30 days after the petition has been received, provided it is found sufficient. The election is conducted by a board of election commissioners consisting of the county auditor and two resident freeholders, one known to be in favor of and one known to be opposed to prohibition. The judges and clerks of election are also chosen to represent opposite views. No subsequent election may be held until the expiration of two years. If the election results favorable to prohibition, then after 90 days from the date of the election all licenses granted after the passage of the act shall be void. Upon the surrender of a void license the holder shall be refunded an amount proportionate to the unexpired time for which the license fee had been paid. If a majority of the votes cast be against prohibiting the sale of liquor, the vote shall not affect any order, judgment or remonstrance making it unlawful for the Board of Commissioners to grant a license for the sale of liquor in any particular township, city, ward or residence district. The new law, therefore, does not abrogate the right to secure local prohibition by means of remonstrances. Thus it is possible in Indiana to secure local prohibition in any subdivision of a county, although the majority of the county vote be recorded at an election as against local prohibition. In this respect conditions approach those of Ohio.

Through the remonstrance act very considerable territory, chiefly rural in character, had been gained for local prohibition. But it

did not suffice for the purpose of driving the saloons out of the larger urban centers. So it has been supplanted by the county local option act. How this operates and its measure of success as a means of compelling temperance the following local studies will illustrate.

1. MADISON COUNTY.

Madison County lies near the center of the State. At present it has a population of about 71,000. Inasmuch as a greater part of its population is dependent upon the activities of mills and factories, the population shifts numerically from time to time, according to the prevailing condition of industries. The closing down of a single factory will make an immediate difference. Of the county population of 71,000, about 53,000 live in the three cities of Anderson, Alexandria and Elwood, which are the industrial centers of the county. But even the rural districts are not completely rural in the sense of not having any relation to factory life. A considerable portion of Madison County comprises a part of natural gas belt, and small factories are still to be found in the outlying rural townships.

The interest of the present study as regards local prohibition centers around the three cities mentioned above. The largest of these, Anderson, has at the present time a population of about 28,000, which represents a growth of about 2,000 since the census of 1900. It is almost exclusively a manufacturing town. In addition to the American Steel and Wire Mills, employing about 1,000 men, the Nicholson Fire Works, employing about 700, the Sephton Manufacturing Co., employing about 700 men and women, there are glass works, shovel works, automobile factories, and lesser manufacturing plants. Nearly the whole of the male population is employed in the mills and factories. A few hundred are found as clerks in stores and other business houses.

Elwood is located 80 miles northwest of Anderson. The census of 1900 gave it a population of 19,000, which has been reduced to about 12,000 at the present time. It is estimated that about 2,500 persons are employed in the factories. The principal manufacturing plant is the tin plate mills of the Steel Trust, which employ approximately 2,000 men. There is also a glass factory and smaller plants of various kinds.

Alexandria is located twelve miles northeast of Anderson. It has a population estimated at 12,000. At present only the glass factories are in operation. They employ about 700 men. There is also an electric light plant employing 400 men.

The character of the population in these three industrial centers is mixed. In Anderson there is a large foreign element among the mill hands, composed of about 3,000 Irish, 2,500 Germans, 1,000 English, and a few hundred Hungarians, and some Italians and Welsh. In brief, fully one-third of the population of Anderson is foreign born. Formerly a strong union labor town, Anderson is now wholly "open shop." Not a remnant of a labor union can be found.

In Elwood, nearly the entire number of workers in the tin mills are Welsh. They were brought into Elwood during the general war made by

the Steel Trust upon organized labor, but some time ago these Welsh workmen demanded higher wages which were refused. As a result, what was practically a lockout resulted. A sufficient number of strike-breakers, principally Americans, were imported and have succeeded effectively in defeating the strikers.

The population of Alexandria consists of about equal numbers of Americans and Belgians. The principal workmen in the plate glass mills are Belgians. There are also a few Germans and Irish. As a rule the foreign born workers in these three industrial centers have brought their families with them.

Under the provisions of the new county local option act an election was held in Madison County on May 26, 1909. In the strenuous campaign preceding it, the prohibitionists as usual enlisted the active support of local ministers and Sunday School teachers, except those of the Roman Catholic, Episcopal and Lutheran churches, which as a rule are not publicly active in such campaigns. Sensational speeches and sermons stirred the community. At the same time large quantities of printed matter were distributed. The two newspapers in the city of Anderson remained neutral, but published copious quantities of matter paid for by the prohibitionists.

As the Republicans had made the passage of the county local option bill a political issue, it was natural that the local Republican leaders, following the cue of the State machine, should support prohibition with some show of order.

While the whole campaign was ostensibly conducted on purely moral grounds, it would probably not have been effective in the industrial centers had it not been reinforced by economic considerations. To be sure, the workers for prohibition did not use the term "economic," and seemingly placed no particular emphasis on it. Their campaign, so far as its general tone was concerned, made a moral issue of the drink question. Nevertheless, their promises of economic betterment through prohibition had the greatest effect upon the mothers, wives and children of the factory workers. These were solemnly assured that if the saloons were closed up their fathers or husbands or sons would not be able to spend any money for liquor, and hence the family would have the benefit of a full day's wage.

It was the most effectual argument that could be used, and for the following reasons:

Extended investigation in Anderson shows that the wages of the common laborer have risen slightly, while those of the skilled laborer have either remained stationary or have been reduced. On the other hand, the cost of living has greatly increased, and the women of the working class families have felt the pinch more and more. The recent panic intensified the general stress.

There were also certain local conditions, particularly in Anderson, which helped to lend weight to the economic question. In 1907 there were at least one hundred saloons in Anderson. Of this number about thirty had an especially bad repute in the community. They violated the law regarding closing on Sundays and at the stipulated hour on week-days. Some of the places were hang-outs for bums and loafers, and the proprietors

were of a low and personally offensive character. This fact caused much local feeling, especially as it was charged that the brewers were responsible for the presence and prevalence of these saloons.

Realizing this bitter feeling against the law-defying saloons, the local brewers made a tacit agreement with outside shipping brewers that a reform should be brought about, and the offensive saloons closed. The brewers did gradually succeed in putting thirty-two saloons out of business, either by refusing to renew leases or by refusing to supply goods. But the feeling engendered in the community by the long continued presence of obnoxious saloons remained and served to furnish an effective argument to the prohibitionists.

Of the total of 68 saloons remaining at the time of the election in question, at least 15 were at the very doors of factories. Now it is the custom of many of the factories to pay off their men in checks. The most convenient place to cash these checks was the saloon. In this way it had become customary for a crowd of workers to assemble in certain saloons when they got their pay checks, and much indiscriminate "treating" was indulged in. As a result many workers turned up at home with a big hole in their weekly wages. Naturally the women were aroused and responded readily to an argument which promised better things.

Shortly before the election a large street-parade was held under the guidance of the prohibitionists, which was chiefly made up of women and children of the working classes, although some men's organizations took part in it. The number in the marching ranks was placed at 30,000 or more. In addition to such demonstration both children and women were regularly coached in making appeals to the male members of their families. The children were taught to beseech fathers and brothers to vote against the saloons for their sake. In a similar manner women were drilled by their pastors as to the manner in which they should labor with husbands and sons in order to make them take a stand for prohibition. That many voters should yield to such appeals although not actually favoring prohibition is but natural. This method of campaigning involved, of course, a house to house canvass of the most approved political pattern.

In Elwood and Alexandria local conditions were somewhat different. Elwood had long been made a good deal of a temperance town under the provisions of the remonstrance act. Under this a majority of the voters in any ward can file a blanket remonstrance against granting licenses, which, in law, is effective in keeping all saloons out of such a ward. At the time of the county local option election there was only one saloon in Elwood.

In Alexandria there were 14 saloons at the date of the election under consideration. Here the saloons were all centered in the business district. The temperance people had succeeded in forcing all saloons out of the factory districts. Was this in conformity with the desires of the working people themselves, and, if not, why did so many of them vote for prohibition? The answers obtained were rather conflicting. It is said that some of the working men resented the removal of the saloons from their districts, construing it as an affront. The idea of being discriminated against was distasteful and created something akin to a class bitterness. The working men reasoned

that since they had been deprived of saloons while the business districts had been favored with such places, they might as well vote the whole liquor traffic out of business.

Such was the condition in the industrial centers. Throughout the county the newspapers of the State had a marked effect generally in creating a sentiment for prohibition. Large numbers of people read the principal city newspapers as well as the local. And, moreover, the local newspapers were constantly printing quotations on the liquor question from the chief Republican organs of the State, which, in common with the local papers, largely favored prohibition. Of course, great quantities of paid matter were inserted by the temperance advocates and the Anti-Saloon League.

On the question whether the sale of liquors as a beverage should be prohibited, Madison County voted as follows:

Yes, 8,939. No, 7,746. Majority against license, 1,193.

The vote in Anderson:

Yes, 2,171. No, 3,165. Majority for license, 994.

The vote in Munroe Township, which includes the city of Alexandria:

Yes, 1,112. No, 938. Majority against license, 174.

The vote in Pipe Creek Township, which includes the city of Elwood:

Yes, 2,019. No, 1,571. Majority against license, 448.

The rural township voted against license without exception, but with varying majorities.

Counting the vote cast in the three industrial centers as representing the urban vote of the county, it will be seen that, considered as a whole, the urban vote gave a majority of 372 in favor of license.

It has already been intimated that the attitude of a large number of the working class was responsible for the small majority given by the city of Anderson in favor of licenses. This is fully borne out by an examination of the election returns for the fourteen precincts chiefly inhabited by families of the working classes. While only one of these precincts gave an actual majority against license, the "yes" vote in all the others was surprisingly large, and in several instances was proportionately greater than the "yes" vote returned by wards peopled by business people and the more well-to-do. In Elwood and Alexandria a majority of the working men appear to have voted against license.

Under the local option law all saloons for which the licenses had not been taken out prior to the date of the passage of the act were to go out of business immediately, while those whose licenses dated before the passage of the act were to close within three months after an election resulting favorably to local prohibition.

Most of the saloons in Madison County had to go out of business at once; a few remained open for several months after the election.

With the closing up of the last saloon, "blind tigers" and "boot-leggers" at once began business. The "blind tigers" are regularly incorporated social clubs, holding a certificate from the Secretary of State. They are to be found in every part of Anderson, especially in the vicinity of factories, and are patronized by all classes. Each member is supposed to keep his

own supply of liquor in the rooms. Although these "clubs" claim a legal right, local officials regard them as violating the law.

The local public prosecutor and the courts attempt to enforce the law strictly. Some of the officials are favorable to the prohibitionists, while all are apprehensive lest by any laxity they may incur the enmity of the anti-saloonists. The work of detecting violations of the law and making arrests was done by local officials. At the time of the investigation there was no evidence of private detectives being imported by the Anti-Saloon League.

By the beginning of December, 1909, there had been three convictions for running "blind tigers." Two of the defendants were fined \$100 apiece and sentenced to 30 days in jail; the third, in addition to a fine of \$50, was sentenced to 30 days in jail as a first offender. They have appealed their cases. Nineteen indictments were pending for conducting a blind tiger business.

In Anderson, particularly, a very large amount of liquor is being imported and delivered by express or freight. Under a decision of the Supreme Court of Indiana, handed down November 30, 1909, beer cannot be sold direct to private families, but only to licensed dealers. The method of evading this law in Anderson was to have the beer shipped in cases to Indianapolis, the dealers there receiving the payment from the customers in the county and shipping the beer back to them.

Practically all druggists sell large quantities of whiskey by the quart. Under the so-called "Beardsley Act," passed in 1907, all that is necessary in order to purchase at will is to go to a drugstore and sign a slip stating that the liquor is needed for educational, scientific or medicinal purposes. A recent court decision held that these signed slips cannot be produced in court as evidence against the druggist. The result of this decision has been greatly to stimulate the sale of whiskey by drug stores.

The claim that drunkenness has decreased in Anderson since the enactment of local prohibition is not supported by any tangible evidence. The supply of liquor obtainable through the extensive operations of the boot-leggers, drug stores and blind tigers is abundant. The air of secrecy surrounding the last mentioned establishments seems to fascinate the general run of people. Not a few of the citizens go to cities under license to drink and have a "good time."

Since the local option election public sentiment in Anderson has undergone a marked change. This was reflected in the mayoralty election which took place in November, 1909, and consequently months after the local option election. The issue lay practically between the prohibitionists and their opponents. The Republican candidate proclaimed the fact that he was in favor of prohibition. The Democratic candidate made no speeches and did not commit himself, but was recognized as favoring the licensing of saloons, and a local newspaper attacked him on that ground. There were three tickets in the field—Republican, Democratic and Socialist. The Democratic candidate was elected by a plurality of 700, notwithstanding the fact that Anderson normally returns a Republican majority of about 800.

Fully 95 per cent. of the local tradesmen are against prohibition. Large numbers of working men also appear to have changed their minds. Their

families realize that liquor is sold whether prohibition is in force or not, and perhaps in more vicious ways and with more serious results. They have not gained by the substitution of blind tigers for saloons in the neighborhood of factories. Impartial residents—persons not actively for or against license—look upon prohibition as an experiment tried in Anderson for the first time and are carefully watching developments and results.

It has been pointed out as a direct consequence of the enactment of prohibition that the bank deposits in Anderson at the close of 1909 had increased by \$200,000 as compared with the preceding year. But this claim is sophistical. The real reason for the larger deposits is that with the passing of the last panic the factories are doing a bigger business, and that many more men are employed than during the year before. The tradesmen are benefiting in proportion.

The abolition of saloons and the resulting loss of liquor revenue has already caused a deficit in the county treasury and a general increase of taxes of five cents on every hundred dollars. The money from saloon licenses was formerly turned over to the school fund, which was so seriously crippled by this loss that additional taxes had to be levied.

2. GRANT COUNTY.

Grant County is located in the northeastern part of the State. At the census of 1900 it had a population of 54,693, which has increased normally since that time. Marion is the principal city and the county seat, with a population (in 1900) of 24,030, exclusive of the United States Soldiers' Home. This large institution, while not nominally within the city limits, is practically a part of the city, and adding its inmates, the population of Marion may at the present time be rated at more than 26,000.

Marion is distinctly a manufacturing city. Its chief industries comprise three bottle glass factories, a table ware factory, a lamp chimney factory, motor engine works, malleable iron plants, three stove factories, two rubber manufacturing plants, a shoe factory and various other kinds. In all, the factories in Marion employ about 5,000 men.

In other parts of Grant County there are several smaller industrial centers. One of these is Gas City, which, although five miles distant from Marion, is practically a suburb of that city. It has a population of 3,622 at the last census and has remained about stationary. Gas City has two glass factories and tin plate mills belonging to the Steel Turst. These factories and mills employ about 1,000 men.

Five miles to the south of Marion lies Jonesboro, a small industrial town with a rubber factory employing about 100 men.

Sims, another small industrial town with a population of about 1,200, is dependent upon a canning factory. Matthews is a slightly larger town having about 2,000 inhabitants, many of whom are employed in rolling mills.

The towns Fairmount and Vanburen, each with a population of about 1,500, are dependent upon agriculture rather than upon manufactures. The remainder of the county is exclusively rural.

Throughout Grant County the native born population predominates. In the factories of Marion there are employed about 100 Poles and a few Irish and Germans, but in every line of employment Americans greatly outnumber the foreign born. The plate mills at Gas City employ about 400 Welshmen, but in other industries the workers are Americans.

Grant has always been noted as the foremost prohibition county in Indiana. It has given a regular vote for prohibition tickets of about 1,200. The membership of the Women's Christian Temperance Union has long been reckoned at least as high as 1,000. One reason for the strong temperance proclivities is the presence of a large element of Quakers. The county was originally settled by members of this sect. Marion has to-day a large Quaker population. Fairmount is almost exclusively inhabited by Quakers, and the rural sections are also to a considerable extent occupied by Quaker families. With few exceptions these Quakers are prohibitionists. Other denominations have helped to swell the prohibition vote which for a long time has been strong, especially in the rural regions.

Much complaint was made against the character of some of the men who conducted saloons, some of whom were said to be of a particularly low standing.

However, the majority of the saloons were orderly. But the dozen or so of bad repute, some of which were located near the factories, gave the tone to the business, and were responsible for the bad odor attaching to the whole local liquor business.

In 1908 there were forty-nine saloons in Grant County, and thirty-seven of them were located in Marion. Most of the saloons were in the downtown district, but seven fronted various factories. Three saloons were in the vicinity of the paper mills and glass factories, on the north side; two at the glass and stone works, on the east side; and two were right by the glass works, bedstead and furniture factories on the west side. It was the habit of many factory workers to patronize these saloons at meal hours. This habit aroused the great resentment of many employers, who complained that the men would not return on time, and that the work of some of those who drank to excess could not be depended upon.

Under such conditions of liquor selling effective arguments for prohibition lay close at hand, and were made the most of during the campaign. As is nearly always the case, the church element was exceedingly active during the campaign for prohibition, noticeably so the Methodist Church, which is locally prominent in Marion. This denomination had the active support of the then Governor of Indiana, who wrote letters to all of the Methodist Churches urging them to take part in the fight. The temperance workers held many meetings in the court house and churches and on the streets. Particular attention was given to a vigorous house to house canvass, especially in working men's quarters. It was attempted to hold a temperance parade in Marion, which was to have included the school children, but the opponents threatened a suit against the educational authorities, and this feature of the campaign was abandoned. The Anti-Saloon League took a vigorous part.

The local option election was held in Grant County on February 23, 1909, and resulted as follows:

Yes, 7,634. No, 5,451. Majority in favor of prohibition, 2,183.

The vote of Marion includes that of three townships, namely, Washington (which contains a small part of Marion); Center Township (containing the city of Marion proper); and Franklin Township (including what is known as West Marion). Taken as a whole the city of Marion gave 2,645 votes for prohibition and 2,695 against, or a majority of fifty votes against prohibition. In 17 out of 32 precincts majorities favorable to license were returned.

All the townships outside those mentioned showed majorities against license. Thus, Jefferson Township, which includes Matthews, gave 520 votes for prohibition and 241 against. Mill Township, which includes Jonesboro and Gas City, gave 813 votes for prohibition and 591 against. The townships of Pleasant, Richland, Monroe and Liberty, which are exclusively rural in character, naturally gave large majorities against the saloons.

At this election, the Republican local leaders made prohibition a party issue, and the greatest number of inveterate Republicans voted for prohibition. From that election on, prohibition became a distinct party issue, the Republicans at their State convention championing the present county unit at local option elections, and the Democrats at their State convention declaring for the township unit. But public sentiment is undergoing a change. At the city election in November 6, 1909, the issue was distinctively one between the advocates of prohibition and their opponents. Although the normal Republican majority in Marion is approximately 1,500, the Republican candidate for mayor, a Republican prohibitionist, was elected by a plurality of only 196. The last saloon in Marion closed up on November 15, last.

But the abolition of the last saloon in Marion does not seem to have in any way diminished the consumption of liquor. "Blind tigers" immediately were established, especially near the factories, and "boot-legging" was begun on an extensive scale. In November, 1909, five "blind tigers" were raided, and the proprietors, upon trial, were convicted. Three were fined \$50 and sentenced to ninety days in jail, and two received a minimum sentence of \$50 fine and thirty days in jail. All have appealed their cases. Five "boot-leggers" have been arrested and were fined \$10 or \$20 and costs. Four of these "blind tigers" were near the malleable iron plants, and they were undoubtedly but a few of many now running.

The druggists are also selling large amounts of whiskey. This is typically shown by the state of affairs near the Soldiers' Home. Every three months \$100,000 is disbursed in pensions to the soldiers. A local official says that at the last pension day recently, one druggist took in \$400 in a few days from the proceeds of whiskey sold to the soldiers. Sixty-one of the soldiers went to Hartford city—the county seat of a "wet" county—for the purpose of buying drink.

On December 31, 1909, two cases of druggists selling whiskey were disposed of in the Marion City Court. One was that of a South Marion druggist, charged with selling whiskey to inmates of the Soldiers' Home for purposes not regarded as medicinal. He pleaded guilty and was fined \$50 and costs. In the course of the examination the fact developed that more than one hundred bottles bearing the same labels as those on the bottles sold by this druggist had been found on the grounds of the Soldiers' Home. The other case was that of a West Marion druggist. He was arrested for selling whiskey contrary to law and fined \$50 and costs.

As to the condition of sobriety under the prohibition régime in Marion there is no conclusive evidence. There is an abundant supply of liquor, but most of it is sold secretly and not consumed in public places. Moreover, many residents go to Hartford City or Indianapolis to buy drink, and if any of them become intoxicated in those places, the facts are obviously not reported to the officials of Marion. Among the Marion business men there is complaint that people who thus go to other places buy merchandise there which otherwise they would buy at home.

A careful survey of the situation in Marion shows that since the election there has been a decided reaction against prohibition, and many people who voted against license assert that well-regulated saloons would be preferable to the conditions now existing. The prohibition vote of a large number of people was, it would seem, not so much against the saloons as against the excesses of the saloon. They were exasperated at certain abuses, and in that state of mind voted all the saloons out of business.

3. DELAWARE COUNTY.

This section of Indiana has a population of about 65,000. The county seat and chief city is Muncie with a population of 35,000. It is an important manufacturing center. Its main industries are automobile works, the largest glass factories in the United States, sheet steel and tinware mills, steel and iron works, and a wire fence plant. There are also other smaller factories. The various industries employ about 5,000 men in all. The remainder of the county is distinctively rural.

The workers in the Muncie factories are largely American. There is a smattering of Germans, English and Bulgarians, and about 800 Roumanians. The foreign born work mostly in the steel mills. Muncie has also some 500 French and French Canadians, most of whom belong to the professional class and are to be found in law, medicine and dentistry.

In 1907 there were 118 saloons in Muncie, but this number was reduced to 104 through the endeavors of brewers. On every hand it was agreed that there had long developed an antagonistic feeling toward the saloons due to the fact that many of them were run in an objectionable manner. Fully 60 of the 104 saloons in Muncie were in the vicinity of the factories. At one time 80 saloons were near the factories, but 20 of them were cleaned out.

The factory owners were bitter because so many saloons were located near their plants, which resulted in a constant temptation to the working men to drink during shop hours. Muncie is an open-shop town and wages are low. The automobile works pay an average of 22 cents an hour for an eleven-hour work day. In the wire works the average weekly pay is \$15 a week for an eleven-hour work day. In the jar factories the workers receive 17 cents an hour for a twelve-hour work day. Wages are said to have decreased, but the cost of living in Muncie has increased (at a conservative estimate) fully 35 per cent. in the last five years.

Thus, a large proportion of Muncie's population was definitely aligned against the saloon.

The prohibition party had always been weak in Muncie. But when the factory owners declared against the saloons, the prohibitionists and the Anti-Saloon League received a powerful reinforcement and were encouraged to activity. In 1907, Senator Kimbrough, a large stockholder in the Motor Gear Company in Muncie, made a strong fight for a \$1,000 license, in the hope of ridding the factory district of many of the saloons. When his bill was defeated the factory owners decided that their interest demanded the total abolition of the saloons. The foremost capitalists in Muncie, the five Ball brothers, owning the extensive glass jar works, became very active in leading the movement to secure local prohibition. They and other factory owners supplied liberal campaign funds for the purpose.

The attitude of the local capitalists determined that of the local press and of the churches, as a whole.

The campaign did not develop in Muncie into the same kind of partisan contest that occurred in other places. The stand taken by the local capitalists was such that the campaign got the character of one conducted by the better class of people against saloon evils. Nevertheless, it was one of the hardest fought campaigns ever witnessed in the county. A taxpayers' league was organized to work in favor of the liquor dealers, and it was headed by some of the largest property holders in Muncie. For example, one of the largest owners of real estate in Muncie was an active spirit. The arguments of the liberal element were that the loss of license revenue would cause increased taxation; that the abolition of the saloons would have a disastrous effect on business, and that it would be a blow at personal liberty.

The election was finally held on April 27, 1909, and resulted for the whole county as follows:

Yes, 7,282. No, 4,330. Majority against license, 2,952.

The city of Muncie returned a majority against license of 209, while the whole of Center Township, which contains the city, gave a majority against the saloons of 784. Thus, Delaware County furnished the unusual spectacle of an important urban vote favorable to local prohibition.

Of the 17 precincts in Center Township (containing the city of Muncie), only five gave majorities for license, and only one of these can be classified as a residence district for working men. On the other hand, the seventh precinct, which is almost exclusively inhabited by working men, gave 259 votes for prohibition and 182 against, and shows clearly the stand taken by many working men in this fight.

All the other townships of the county, except Salem, which is a suburb of Muncie, are distinctly rural in character, and returned the expected large majorities favorable to prohibition.

After the local option election, the liquor issue became distinctively political. The majority of Muncie's saloons went out of business on July 26, 1909; the last license expired on November 16. At the November city elections a Democratic mayor was elected for the first time in twelve years. Although Muncie had a nominal Republican majority of about 1,200, the Democratic candidate was elected by a plurality of 1,210. He is a bank stockholder and owns a canning factory and extensive real estate interests.

The results of prohibition have not been satisfactory to the element which opposed the evils of the saloons. As in other places, numerous "blind tigers" have succeeded the saloons, particularly near the factories. Many of the former uptown saloons have been converted into "soft drink" places where beer, whiskey, gin, brandy and other liquors are sold by the drink under various disguises and subterfuges. A large number of "boot-leggers" are doing business. Many persons go to Hartford City, Richmond, Cambridge City and Indianapolis—all places under license—to get their drinks and to bring home liquor in varieties of ways. They are called the "suit case brigade."

The prevalence of "blind tigers" in Muncie can be judged by the fact that on a single day—December 4, 1909—fourteen "blind tigers" were raided by the police. Of this raid the Muncie "*Star*" (a newspaper favorable to prohibition) reported:

"The most spectacular feature of the raid on the 'blind tigers' that have flourished here since the licenses of the last saloon expired on November 16, was the arrival at police station of the express wagons loaded down with barrels, boxes, kegs, jugs and bottles. The police station was used as a temporary storeroom and gave the appearance of a wholesale house last night. The beer that was found was mostly in potato barrels. Scores of people gathered at the station to see the liquor unloaded, and the days of the street car strike were recalled in the throngs that crowded about the wagons and the doors.

"The details of the raid were intrusted to Acting Chief of Police Ira Coons, in the absence of Van Benbow, who is away on a vacation. There were a thousand and one details which demanded attention, and Coons worked like a Trojan to attend to everything. As each wagon arrived a group of men, including Prosecutor Harry Long, and others, were kept busy labeling the barrels, boxes, bottles and kegs and storing them in separate parts of the station house.

"It would be difficult to give an accurate invoice at this time, but as well as could be determined, the following was confiscated in yesterday's raid: Kegs of whiskey, 7; barrels of beer, 62; cases of beer, 13; jugs of whiskey, 4; basket of beer, 1; bottles of whiskey, 9; bottles of wine, 5. 'Tonica,' 'Vivo,' and 'tonic' were found in abundance, but the authorities claim that none will stand the legal test, and that all 'contain more alcohol than the law permits in order that they may be sold as 'soft drinks.'

"The different squads that conducted the searches yesterday left no stone unturned in their efforts to find the liquor. They had orders to bring everything from catsup jugs to whiskey barrels, and this they did. They did not stop at the room in which the drinks were sold, but extended the search to the premises, the barn, out-houses and the residence. 'Booze' was found in stoves, in iron safes, in bed rooms, coolers, cash registers, in cellars, under lunch counters, and in dark stairways."

The local officials claim to have evidence of more than one hundred and fifty illegal sales.

The feeling generally in Muncie is that prohibition is regarded as an experiment. There is a general conviction, however, that well-regulated

saloons would be preferable to the present evils growing out of no saloons at all. There is much dissatisfaction with the increase of taxation. In 1907 the county received a total of \$22,000 a year in license revenues. The loss of this has been partially responsible for the present increase in county taxes from 2.68 to 3.57 on every \$100.

4. SULLIVAN COUNTY.

Sullivan County lies in the southwestern part of Indiana and has a population of 40,000. It is wholly a mining and agricultural community, and therefore furnishes a contrast to the counties described in preceding pages. There are no factories of any kind, and no important urban centers. The county seat is Sullivan, with a population of about 6,000. North and east of the town of Sullivan, and in contiguous places, are at least fifty bituminous coal mines, employing, it is estimated, 5,000 miners. The remainder of the county is purely agricultural. The politics of the county is ordinarily democratic by about 1,200 majority.

The miners are largely Americans, together with about 1,500 Poles, Hungarians, some Italians and French. These foreigners are described as being of a higher grade than usually found among workers of their kind.

Sullivan County is a type of Indiana County that first excluded saloons by remonstrance, and then affirmed the remonstrance by a local option election. As nearly as can be ascertained by a careful investigation, the causes leading up to this were as follows:

Previous to 1904, and in that year, there were 17 saloons in the city of Sullivan, and twelve in the township immediately outside the city limits. At the same time—in 1904—applications for licenses for ten more saloons in the city of Sullivan were pending. The total number of saloons in the county was about one hundred. Nearly all of these saloons were at, or near, the coal mines. Some of the coal companies ran a string of saloons through dummies, and made large profits. The character of the men who owned or managed the saloons varied. In some cases it was good; in other cases the men in charge of saloons had an evil reputation.

In every mining camp there were at least one to five very rough saloons. The city of Sullivan had no police force, and there was no restraint. Nine men were charged with murder in the mining camps, and these crimes occurring within a short time of one another made a deep impression upon the community. In conjunction with the other vicious conditions, they turned the greater portion of the community against the saloons. Of the nine men tried for murder, six were convicted, two were acquitted, and two juries disagreed on the other case.

The women of the miners' households, and many of the miners themselves, were exasperated at the practices and extortions of the saloons. The miners, for example, were paid in cash every two weeks by the companies. In the meantime, however, the companies would advance them brass coins called "flickers," good for certain amounts and redeemable by the companies. These "flickers" were used as money by the miners, and were cashed at the saloons and other places at a ten per cent. discount.

Careful inquiry shows that at least one-half of the people in Sullivan who signed the remonstrance and later voted out the saloons under the local option law, were by no means avowed prohibitionists. Many of them stated frankly that they would have preferred well-regulated saloons, but that in the absence of such, or of any hope of getting them, they decided to go to the extreme and vote all of the saloons out of existence.

The city of Sullivan, in May, 1906, declared for the abolition of the saloons by remonstrance by a majority of about 100. The element which accomplished this did not wait until the period of two years covered by the first remonstrance had expired. In August, 1907, a second remonstrance was filed by an increased majority. At the local option election on March 3, 1909, the whole county affirmed the policy of keeping out the saloons.

The vote in the county was as follows:

Yes, 3,920. No, 2,079. Majority for prohibition, 1,841.

In the city of Sullivan only one precinct, namely, the 8th, which is inhabited by foreign born miners, gave a majority for license. On the other hand, precinct 6, which is occupied almost exclusively by American miners, cast 115 votes against license and 86 for.

In Jackson Township all of the precincts are mining districts, chiefly occupied by miners of American birth, and all but one precinct gave a majority against license.

All of the precincts in Curry Township are mixed mining and farming districts containing for the greater part a native born population. Two only of the six precincts gave majorities for license.

Cass Township is half agricultural and half mining. Of its five precincts, only one showed a majority to be favorable to the saloons.

The remaining four townships are all rural and every precinct gave emphatic majorities against license.

The two years of no-license in Sullivan have been generally regarded as an experiment. The majority of people are by no means satisfied with the results, and the general sentiment is that if they could be assured of a well-regulated saloon system, they would prefer it to the evils that have developed under the prohibition régime.

Since January 1, 1908, the proprietors of thirty-four "blind tigers" have been convicted in the city of Sullivan. Nearly all of these "blind tigers" were in the mining districts. The local officials have enforced the law strictly, as far as they could. Thirty of the convicted were sentenced to jail, and to pay various amounts in fines. Most of the sentences were severe, as may be seen from the following statement:

One, three months in jail and \$350 fine.

One, three months in jail and \$300 fine.

One, three months in jail and \$20 fine.

One, three months in jail and \$100 fine.

One, four months in jail and \$20 fine.

Two, three months each and \$200 fine each.

In a number of cases, sixty days in jail and \$50 fine each on plea of guilty.

In a number of cases, thirty days in jail and \$50 fine each on plea of guilty.

Twelve of these cases were before the court in October, 1909. In not one of all the "blind tiger" cases tried in Sullivan County, thus far has there been an acquittal.

At present the Sullivan jail is full of "boot-leggers." The public prosecutor has been making a record in prosecuting violators of the law. He is determined to punish all offenders upon whom he can lay his hands, and it is largely through his efforts that Sullivan has been kept as free from liquor law violations as it has. Most of his troubles have come from Shelburn and other mining towns.

Sullivan County is midway between Knox County, of which the county seat is Vincennes, and Terre Haute in Vigo County, both of which are under license. Beer is being shipped into Sullivan County from both Terre Haute and Vincennes and "suit-case brigades" have been a common sight.

Boot-legging has increased in Sullivan County to a certain extent despite the prosecutor's efforts. However, many of Sullivan's people go to Terre Haute for the special purpose of getting liquor. Some of the local merchants claim that this causes a loss of trade in Sullivan.

5. CLAY COUNTY.

Clay County, like Sullivan County, is a type of Indiana county that has been under prohibition for a considerable period, first by remonstrance, and recently by local option.

The county is situated in the southwestern part of Indiana, and has a population of 43,000. It is largely a mining and agricultural community. Its county seat is Brazil, with a population of 11,000. The main industries of Brazil are some clay factories which make hollow brick and paving brick, and give employment to about 1,500 men. There are also three machine shops having several hundred men on the payrolls. Within a radius of eight miles of Brazil are eighteen soft-coal mines, employing nearly 4,000 miners, of whom 1,500 live in Brazil.

Clay County has a number of smaller industrial and mining towns. Thus Knightsville is a mining place with a population of 2,500. Clay City has the same population, of the same magnitude which is chiefly dependent upon two clay factories. Carbon City, with a population of 2,000, is a mining and agricultural town. Centrepont, having a population of 1,500, is a mining district, likewise Ashboro and Stanton, each with a population of about 1,000.

Approximately, there are 6,000 miners in Clay County. One-fifth of this number are estimated to be Americans. The remainder are Italians, Hungarians, French and a few Germans.

Clay County prohibited the sale of liquor by remonstrance in 1907. At that time there were almost one hundred saloons in the county. Fifty-four of these were in Brazil. It seems to be established as a fact that a number of them were run in open violation of law.

The result was to awaken precisely the same feeling described as prevailing in the cities of Anderson, Marion, Muncie and Sullivan. The orderly people of all classes became irritated at the excesses of the saloon. The

prohibitionists and anti-saloonists realizing the extent of this bitter resentment against the saloons began the remonstrance movement. In 1905 Sugar Ridge Township abolished the saloons by remonstrance. Perry, Washington, Posey, Harrison and other townships did the same. Finally, Brazil Township declared for no saloons by remonstrance.

It cannot be said of Clay County any more than of Sullivan County, that the anti-saloon forces were able to carry through their remonstrance by reason of partisan politics. At the time of the first remonstrance, the issue for and against license had not been sharply drawn between the Republicans and Democrats. Moreover, like Sullivan County, Clay County is normally Democratic, although the city of Brazil has a Republican majority.

While there are indications that pressure of various kinds was brought to bear to obtain signatures for the remonstrance, social and business pressure, and perhaps money was spent in the work of drumming up signatures. But, on the whole, the majority of the signers of the remonstrance were led to sign it, not because they were opposed to drink, but because they did oppose the evident evils of the many bad saloons. This remonstrance was renewed in 1907.

By March, 1909, all of the townships in Clay County except Brazil had declared against the saloon. In that month the four wards of Brazil, including the entire city, filed remonstrances, and the saloons were gradually closed out.

It was generally known in Clay County that drinking had been anything but stamped out by the abolition of the saloons. "Blind tigers" began to flourish; Brazil was full of "boot-leggers" and considerable numbers of people throughout the county went to Terre Haute (only an hour's ride on the trolley) and bought liquor and brought it back as a regular habit. Intoxication was, in consequence, by no means uncommon. But the general sentiment was that in the absence of a better system, this condition was preferable to the one existing under the license system with so many bad saloons. The result of these conditions was that at the local options election on May 4, 1909, the anti-saloon forces won by a large majority. For the county as a whole the vote was:

Yes, 4,720. No, 2,546. Majority against prohibition, 2,174.

In Brazil Township, which includes the city of Brazil, only four out of fourteen townships gave majorities for license. In the remaining ten townships, all of which are distinctively rural, only a single township showed itself favorable to license.

The election was therefore unusually decisive and did register a very emphatic protest against the saloon. But after some months experience, public sentiment has undergone a notable change. Considerable numbers of voters who signed the remonstrance and voted prohibition, seem to have changed their opinions. This is probably due, as far as could be learned, to the fact that the abolition of saloons has resulted in conditions which were not anticipated. They have begun to see that to vote out the saloons does not mean doing away with drink or drunkenness but, that on the contrary, it drives the drinking element to extremes. At Seeleyville, a mining

town eight miles away in Vigo County, there are nineteen saloons, much of whose trade comes from the people of Clay County. The residents of this county also go to Terre Haute, and many are taken off the trolley cars in a state of intoxication. It is doubtless for the reason that saloons are within such a short distance from Brazil that "blind tigers" and "boot-legging" do not exist to any extent in Brazil. It is reported that immense quantities of liquor, especially bottled beer, are shipped into Clay County, and that the drug stores do a large business selling quart bottles of whiskey.

These factors had a considerable influence in determining the result of the recent city election in Brazil, in November, 1909. Although Brazil has a Republican majority normally, it elected as mayor a Democrat—a former saloon keeper—by a majority of 200. His Republican opponent was a business man. All of the other Democratic candidates for city offices were likewise elected, and all are favorable to license.

6. MORGAN COUNTY.

Morgan County lies in the center of Indiana, and has a population of 25,000. It is almost wholly agricultural. The county seat and chief city is Martinsville, with a population of 5,500. Martinsville has two brick plants, a wooden ware and a chair factory. These factories employ about 1,500 men, nearly all Americans. There are two smaller towns—Mooresville, with a population of 1,200, and Morgantown with a population of about 1,000.

Morgan County went partially dry by remonstrance in 1907. The three townships taking the lead in the agitation against the saloon were Jackson, Brown and Washington, including respectively the towns of Morgantown, Mooresville and Martinsville. At that time there were fourteen saloons in Martinsville, one illicit saloon in Mooresville and two in Morgantown. The prohibitionist element was not large, but when the temperance wave swept Indiana, they were able to point to persistent violations of law as arguments why the saloons should be abolished. The churches did most of the anti-saloon work in this county. There were no parades and there was no excitement. The campaign was mainly carried on by sermons, pamphlets and personal canvass.

The election of February 24, 1909, resulted favorably to local prohibition. The vote for the county stood:

Yes, 2,625. No, 1,571. Majority against license, 1,054.

Washington Township, which includes the city of Martinsville, gave a majority of 158 against license. Only two out of seven precincts declared themselves for the retention of the saloon. In the other thirteen townships of the county, only two had precincts giving majorities for license.

There is no police force in Martinsville, and the town marshal did not have complete records before January 1, 1909. He stated, however, that in the last three years there have been about ten prosecutions of "blind tigers," and that the drug stores are freely selling whiskey. It is very difficult in this county to get a jury to convict "blind tiger" men, although the local officials have tried to enforce the law. The mayor, for example,

is in favor of license, but has striven to enforce the law strictly. He reports that drunkenness has increased and that at present boys of 15 or 16 years are frequently arrested for intoxication. Where they get the liquor they refuse to tell. Martinsville is an hour and a half ride on the trolley to Indianapolis, and it is generally understood that many residents go there both to buy drink and some with the deliberate purpose of getting intoxicated.

Some of the local merchants complain that much of their former trade has gone to Indianapolis. The signs indicate a reaction against prohibition.

LOCAL OPTION IN MASSACHUSETTS.

To Massachusetts belongs the distinction of being one of the first States to embody the principle of local option in a statute providing for elections at stated times on the question of license or no-license. This was in 1881, when the license system was supplemented by an act providing for a vote at the annual municipal election or town meeting on the question, "Shall licenses be granted for the sale of intoxicating liquors?" The Massachusetts town, it should be noted, may include several towns, corresponding therefore to the "townships" in other States.

This simple law has remained unchanged in fundamental respects since that time. Much legislation has been proposed and some of it enacted affecting the enforcement of local prohibition; but the same policy in regard to annual elections, the period at which the vote upon the license question becomes effective, etc., prevails now as in 1881. Since in this Commonwealth the town or city is the unit for all administrative purposes, there has never been any agitation for county local option.

The experience of Massachusetts with local prohibition is especially illuminating as showing its advantages as well as disadvantages. For nearly thirty years every city and town has voted on the question of license. In no other State has the experiment been tried on so generous a scale and its applicability to large populous centers been so thoroughly tested. In short, Massachusetts exemplifies more clearly than any other State both the strength and the weakness of the local option principle.

It should not be understood, however, that prior to the enactment of the law of 1881 the sale of liquor was licensed throughout the Commonwealth. As a matter of fact, many towns, and some cities, had long taken advantage of the express provisions of the old law that it should not be compulsory for selectmen, or mayors and aldermen, who at that time constituted the licensing authorities, to grant licenses. A no-license policy had been instituted in many places long before the local option principle was expressed in the form of a statute.

There is no evidence to show that the licensed traffic got an immediate set-back by virtue of the law of 1881. While no record exists of the number of communities which previous to this year had refused to permit the licensing of saloons, it is worth while to note that more United States special liquor taxes were paid in Massachusetts during 1881 than in the preceding year, which certainly points to an increase in the traffic. And not a few places which were without saloons in 1881 began henceforth to vote for license as a settled policy.

NON-PROGRESS OF LOCAL OPTION.

A leaflet published by the Massachusetts No-license League contains this statement:

"During 1881-1906, the first 25 years in Massachusetts, no progress was made for no-license—in fact, at the end of this period there was a distinct loss both in the cities and towns." It is then set forth that a "no-license sweep began with the December, 1906, city elections and has been sweeping steadily on ever since." In view of the outcome of the last local option elections in Massachusetts, to which reference will be made later, the statement of this No-license League quoted, should be modified thus:

From 1881 to 1909 no progress has been made for no-license. In fact, at the end of this period there has been a distinct loss.

It is worth while to summarize the general facts in regard to the forward and backward movement of the no-license policy. During the first four years under the local option law much ground was lost by the temperance advocates. Towns and cities which had formerly prohibited the sale of liquor again returned to license.

In 1885 the no-license advocates made some gains, and again, in 1886, 1888 and 1891. It was found that in 1881 63.2 per cent. of the inhabitants of the State lived in cities and towns voting "yes." In 1894 there were 57.4 per cent of the population living in cities and towns voting "yes." The apparent gain for no-license in thirteen years was thus represented by 5.8 per cent. of the population, on the basis of the census dating back four years earlier. But in reality the growth in population meantime had offset this gain, especially the growth of urban centers which remained steadfastly under license. And when the population of no-license places in immediate proximity to Boston, and which had access to all that a city under license can offer, was deducted, it was found that in

1894 more than 65 per cent. of the inhabitants of the Commonwealth lived in cities and towns voting "yes."

Looking at the situation five years later, or at the end of 1899, it is found that of the 320 towns in Massachusetts (representing 35 per cent. of the total population) no fewer than 259 were under no-license. This, however, includes nine that voted license, but in which no licenses were issued by the board of selectmen. For the greater part all no-license towns were very small: two-thirds of the total number had less than 2,000 inhabitants. In fact, there were only 31 that had a population of from 5,000 upwards. And as is well-known in the case of several of the largest no-license towns, they spread over a large area and contained anywhere from two to nine villages each.

In the same year twelve of the thirty-three cities in the State were under no-license. These contained 22 per cent. of the total urban population of Massachusetts, while 78 per cent. of the urban population was under license. In other words, about 57 per cent. of the total population of the State lived under no-license, and there was thus a loss in no-license territory as compared with five years previous.

This condition remained practically unchanged until in 1906. In that year the city election showed a net gain of three cities which voted no-license. In 1907 there was a further gain by the addition of two towns and two cities to the no-license column.

In 1908 eleven towns and three cities were added to those under local prohibition. And in 1909 still one more town voted no.

Thus, from 1906 to the early part of 1909 the no-license movement could boast of having won eight cities and fourteen towns representing a total of 41,522 votes.

To put the matter in a nutshell, at the license year beginning May 1, 1909, twenty cities out of a total of thirty-three, and 261 towns out of a total of 321, were under no-license. This leaves thirteen cities and sixty towns in which the liquor traffic was legalized. It is no wonder that much was made of these facts as representing a noteworthy gain for no-license. Moreover, there had been added to the no-license column some of the largest cities in the Commonwealth, which at other times had habitually voted in favor of license. Chief among these were Worcester, population 133,963; Fall River, population 106,301; New Bedford, population 81,514.

But the city elections in December, 1909, showed that a decided reaction had set in against this onward sweep of the no-license movement which no doubt had received a large part of its impetus from the temperance agitation recently spreading over so many States. The cities of Worcester, Fall River, New Bedford, Gloucester, Marlboro and Chelsea reversed their policy of the preceding year and swung over to license by decisive majorities. Thus, the steady gain for the prohibition policy which had marked the period 1906 to 1909 (May 1) was not only wiped out, but offset by a substantial loss of no-license territory. Only one city, namely, Salem, went back to no-license, according to its custom of remaining under license only one year at the time.

What stand will be taken by the towns, which vote in March of 1910, remains to be seen; but it may reasonably be assumed that they will reflect in some degree the recent opposition to no-license which has manifested itself in the cities.

The status of the cities of Massachusetts in respect to license at the beginning of 1910 and the vote cast at the last elections are as follows:

LICENSE VOTE EFFECTIVE MAY 1, 1910.

	Number Voting		Majority	
	Yes	No	Yes	No
Beverly.....	877	1,987		1,110
Boston.....	54,094	26,972	27,122	
Brockton.....	3,646	5,488		1,842
Cambridge.....				
Chelsea.....	Yes			268
Chicopee.....	1,606	977	629	
Everett.....	985	2,277		1,292
Fall River.....	8,316	6,158	1,798	
Fitchburg.....	2,749	2,467	282	
Gloucester.....	2,161	1,945	216	
Haverhill.....	3,296	3,706		410
Holyoke.....	3,997	2,774	1,223	
Lawrence.....	6,139	3,292	2,847	
Lowell.....	8,312	5,044	3,268	
Lynn.....	6,727	7,331		604
Malden.....	1,947	3,576		1,629

LICENSE VOTE EFFECTIVE MAY 1, 1901—(continued).

	Number Voting		Majority	
	Yes	No	Yes	No
Marlboro.....	1,833	1,367	466	
Medford.....	447	956		509
Melrose.....	624	1,796		1,172
New Bedford.....	5,735	3,394	2,341	
Newburyport.....	1,487	1,497		10
Newton.....	772	1,918		1,146
North Adams.....	3,160			258
Northampton.....	1,490	1,312	178	
Pittsfield.....	2,775	2,357	418	
Quincy.....	1,199	3,262		2,063
Salem.....	3,215	3,733		518
Somerville.....	1,830	4,581		2,751
Springfield.....	6,138	4,054	2,084	
Taunton.....	2,799	2,527	272	
Waltham.....	1,603	2,905		1,302
Woburn.....	1,242	1,538		296
Worcester.....	13,282	9,582	3,700	

With the opening of the new license year, May 1, 1910, there will thus be 16 no-license cities and 17 under license. In point of the number of cities voting out the saloon there seems to have been a gain for no-license as compared with 1905. But aside from the fact that the most important municipalities won for license in recent years have been lost, and that some of those now remaining in the "dry" column habitually shift from one policy to the other, for instance, the cities like Salem, Lynn, Haverhill and others, the mere statement of the number of no-license cities is likely to mislead the uninitiated.

In order to arrive at a correct appreciation of the meaning of no-license territory as represented by cities, it is necessary to consider their geographic location. Of the 16 cities under no-license no less than 9 are immediately adjacent to Boston, in fact, suburbs of this center, separated by artificial boundaries. In their alphabetical order these cities are: Cambridge, Everett, Malden, Medford, Melrose, Newton, Quincy, Somerville and Waltham. A little farther away lie Lynn and Woburn, yet both have easy access to Boston by trolley or train. Also within quick reach of Boston are

Salem and Beverly, both cities being the homes of many who work in Boston.

To state the matter differently, ten of the no-license cities just mentioned are situated within a radius of 12 miles from Boston, and most of them are upon her immediate borders. This means, of course, that Boston furnishes abundant opportunity for the saloon-seeking population of these cities, an opportunity which is not neglected and quite compensates for the removal of saloons from their own doors.

Thus, there are but three cities in which the no-license vote would seem to stand for a more significant temperance sentiment, namely Brockton, Haverhill and Newburyport. Yet this is also rather deceptive, for the first mentioned lies but 20 miles away from Boston, and Haverhill is within easy reach of the license cities Lowell and Lawrence.

Another aspect of the case is that, with the solitary exception of Brockton, there is not a single city in Massachusetts which has remained under no-license as a settled policy unless such cities are geographically tied up to Boston and must be reckoned among its suburbs. Salem has alternately shifted from license to no-license with the utmost regularity for fifteen years. Beverly, which lies immediately upon the boundary of Salem, enjoys all the benefits or non-benefits of the changing conditions in respect to license of the last mentioned city. Lynn veers from license to no-license periodically, and, lying between Salem and Boston, never wants for access to saloons when without any of its own.

When endeavoring to place a correct value upon the no-license vote, these considerations are of the utmost importance. For citizens of a municipality to exclude saloons knowing that one need but step across a street or journey a short way to reach those of another city, is one thing. The situation assumes a wholly different aspect when cities occupying a more isolated condition are confronted by the local option question. And among such cities in Massachusetts it is quite the rule to remain indefinitely under license. Occasional shifts happen, but they are exceptional and usually marked by a sharp reaction.

THE NO-LICENSE SENTIMENT.

Under the prevailing conditions in Massachusetts municipalities, as illustrated by the facts cited above, one may well

question whether the no-license sentiment expressed in votes against the saloon truly represents the full-fledged prohibition conviction which some temperance advocates pretend. So far as the cities in the immediate vicinity of Boston are concerned, it is fairly apparent that while earnestly desiring to exclude from within the boundaries of the particular municipality in which they live, they are not only willing Boston should deal with the conditions incident upon the sale of liquor, but regard it as essential, in order that they may enjoy no-license. Indeed, they realize that unless Boston retains saloons, a no-license majority in their own city would be unthinkable. Even temperance leaders confess so much. Moreover, it is realized that without such a safety valve handy by, the problem of enforcing local prohibition would become exceedingly troublesome.

The situation is perfectly simple. As has been intimated, the cities in question are for the greater part suburbs of Boston, and chiefly residential districts. Whatever abstract conviction the suburbanite may have in regard to the liquor question, he is not ready to welcome saloons to his immediate neighborhood. It is therefore fair to conclude that very many of the persons who habitually vote no on the liquor issue do so not from mature conviction that the saloon is an institution which under no circumstances should be tolerated, but purely as a matter of expediency and prudence, with sole regard for conditions in his own immediate neighborhood. If this were not so, one would be utterly at loss to account for the facts that the cities surrounding Boston and lying immediately upon its borders are practically the only ones consistently voting "no" at each annual election, while cities differently situated as habitually will vote license or at least have no settled policy, but fluctuate periodically between saloons and no saloons.

All that has been said does not preclude the recognition that many voters are sincerely convinced that under no circumstances should the sale of liquor be legalized. Furthermore, it would be a mistake to assume that decreased majorities for no-license at an election in cities belonging to Greater Boston necessarily signify an apparent change of sentiment favorable to saloons. Local conditions which cannot be entered into here have a distinct influence upon the license vote and may offset majorities both ways. So long as the license question is voted upon at the time of the city

election it is inevitable that it should be more or less bound up with the general political contest, even when the question of license is not at issue.

In the cities removed from the immediate influence of Boston there are at times quite other forces at play for or against license, than those commonly considered by the temperance advocate, and to ignore them leads to a distorted view. Thus, it was obviously not in accordance with facts when, for instance, the victories for no-license in the cities of Fall River and Worcester were proclaimed as the result of a newly awakened prohibition sentiment. As a matter of fact, what actually decided the issue in both these cities, and largely also in the city of New Bedford, was internal strife between factions of liquor dealers who sought mastery in the control of license places. There can be no doubt that the cities in question, especially Worcester, would never have voted no-license except for the deliberate attempt of certain men to bring no-license about as a revenge for being denied control of saloons. This may seem contradictory, for men do not generally resort to what has the appearance of commercial suicide, but in the case under consideration the view was undoubtedly taken that at least for a while the illegal traffic or the traffic with other places under license would offset any appreciable loss to the men concerned from a no-license régime.

In the city of Fall River it is true that the former no-license majorities were to be credited in large part with the vigorous campaign instituted by the churches, but there has not been a sufficiently strong temperance sentiment to keep the city dry.

Less apparent in some respects are the reasons why a city with the utmost regularity votes the saloons in one year and out at the succeeding election. This, as before remarked, has happened for fifteen years in the city of Salem. Does this mean that every other year the citizens of Salem become disgusted with the experiment of legalizing liquor selling? This is the superficial view which has some popularity and appears to have some foundation. When, for instance, the city of Lynn is under no-license and Salem has saloons, it is inevitable that many undesirable inhabitants of the former should visit the easily reached Salem saloons, create disorder and an uncomfortable situation generally. But there is rarely anything so ethical as this about the victories in Salem for no-license. More important than any periodical disgust with

excesses from liquor selling is the stand taken by men commercially interested in the traffic.

Often the issue of license or no-license hinges upon a contest between the "ins" and "outs." That is, there is keen competition between factions for the possession of liquor licenses; and those who find themselves denied the coveted privilege take their revenge upon those who receive it by voting "no" themselves and persuading their friends to do likewise, hoping that a change in the complexion of local conditions may bring them into possession of liquor licenses in two years. They reason, of course, that a continuation of license means leaving the selling privilege in the hands of their opponents, who have to be put out of business before they can expect to return to it. Self-evidently, evidence of this strife between would-be liquor sellers does not lie upon the surface of the election returns. But anyone who looks beneath must realize that the real sentiment of a community like Salem does not change every year upon the advent of a new city election. It is really a safe statement that but for the warring factions which seek control of the liquor privilege Salem would adhere pretty steadfastly to a license policy. One result of this see-saw policy is to leave the business of liquor selling in the least desirable hands. Men of financial responsibility and some standing in the community are unwilling to risk embarking in the saloon business under such conditions. Thus the inglorious spectacle presents itself of victories for no-license being celebrated by prohibitionists which are only attributable to the utterly selfish action of persons directly interested in the traffic itself, and who are, moreover, the least desirable persons who could enter it.

There are, however, other distinct signs that the license question is by no means the moral issue in elections which some would make it. More and more economic consideration is beginning to show its influence. One of the features of the city license campaigns in 1909 was the large interest displayed by persons representing manufacturing industries. Thus, in Newburyport, which barely escaped returning to license, the anti-saloon forces were led by a manufacturer who made his plea on economic grounds. In Lynn there are also indications that the manufacturers took a hand. There can be no doubt that certain economic considerations have played a considerable part in keeping Brockton to a continuous policy of no-license. As is well-known, the city

is purely a manufacturing center and that almost exclusively of one line.

Viewed broadly, therefore, it would be hazardous to claim that the no-license vote in the cities of Massachusetts as a whole furnishes a perfectly safe criterion wherewith to measure the extent of the prohibition sentiment of the different communities.

It will be remembered that in Ohio, Michigan and Indiana, as abundantly illustrated in preceding pages, the enactment of local prohibition was due in most instances to the popular antagonism aroused by the excesses of the saloons, for which there was reason. Not uncommonly no-license victories in Massachusetts are attributed to the same cause. Even liquor dealers themselves speak of a "no" majority as signifying that people feel it necessary to "discipline" the liquor dealers. Probably many do, but not on account of the same causes that produced the no-license majorities in the other States; for under the license laws of Massachusetts, which on the whole are effectively and impartially enforced, the excesses common to the saloon traffic elsewhere do not exist.

NO-LICENSE IN TOWNS.

It has already been intimated that long in advance of the enactment of the local option law of 1881, many towns consistently refused to issue liquor licenses. They were for the greater part towns of a rural type,—containing a village or two, more or less remote from the highways of traffic, and sparsely populated. In the larger towns license obtained as a rule; but with the advent of local option some of them turned more or less permanently to no-license, while others cannot be said to have adopted a settled policy, license and no-license periods alternating with some degree of regularity.

From 1881 to 1906 no permanent gains were made for no-license in towns, the territory secured in one year being offset by losses in the next. But, as in the cities, the year 1906 marked a change also in respect to the towns. More and more of them have been brought under no-license. On May 1, 1909, there were 60 towns in Massachusetts that had voted license and 261 that had voted no-license. In other words, there had been a gain for no-license of 14 towns since 1906, which was nearly offset by the election of March 10, 1910, in which the same number of towns changed to license, only three wet towns becoming dry.

In order to understand why certain towns habitually exclude the saloons while others with as much regularity favor license, it is, first of all, necessary to consider their geographic situation.

Turning first to the more populous towns in the central and western portions of the State, it will be found that they are in large part under license. Among them may be mentioned Blackstone, Milford, Clinton, Deerfield, Easthampton, Great Barrington, Lee, Palmer, Webster, Westfield, etc. In point of population some of these towns are so large that in other States they would long since have been incorporated as cities.

The towns named are more or less remote municipal centers, and the means of communication do not always furnish easy and cheap transportation to license places. This fact makes the voters wary about giving majorities for no-license, lest by so doing they should cut off convenient sources of supply. It is one thing to vote a town dry when such an act can cause little or no personal inconvenience, and quite another where it means producing an actual dry season to the majority of the inhabitants in the sense of not affording access to saloons.

The situation assumes a very different aspect when the town is simply a suburb of a large urban center under license or in such proximity to license territory that a prohibition vote does not spell personal deprivation. This circumstance affords an explanation of the fact that while numbers of the large towns of middle and western Massachusetts quite consistently vote for license, those of the eastern section especially as habitually deny all saloon privileges. A brief reference to some of the more important towns in eastern Massachusetts will make this clear.

Among the towns under no-license, which are mere suburbs of Boston, the following may be mentioned:

Milton.....	population (1905)	7,054
Hyde Park.....	population (1905)	14,510
Brookline.....	population (1905)	23,436
Belmont.....	population (1905)	4,360
Winchester.....	population (1905)	8,242
Winthrop.....	population (1905)	7,034
Dedham.....	population (1905)	7,774
Watertown.....	population (1905)	11,258
Arlington.....	population (1905)	9,668
Revere.....	population (1905)	12,659

Most of these towns lie directly upon the boundaries of Boston, cheap and rapid transit are at hand by both steam and electric roads, and so far as access to saloons is concerned Boston supplies the wants of all. Some of the towns in question are occupied chiefly by the well-to-do and wealthy. Of nearly all of them it is true that the majority of the working population have employment in Boston.

Other important towns lying at a greater distance from Boston, are still near enough to be influenced by the nearness of the large city when it comes to a local option vote. Thus the no-license town Wakefield (population 10,268), containing six villages, is but 10 miles from Boston and still nearer to the cities of Woburn and Lynn, one of which is likely to vote license. A little farther to the north is no-license Reading, population 5,682, which is practically under the influence of the same license factors as Wakefield.

About 12 miles southeast of Boston is situated the no-license town Weymouth, which consists of nine villages and has a population of 11,585. Adjoining it is the town of Braintree, and has a population of 6,879. Although both these consistent no-license towns have some industries of their own and cannot be called suburbs of Boston in the narrower sense, their connection with Boston is so intimate that it directly affects the attitude of their inhabitants upon the license question.

Looking farther away from the capital of the State, the same condition is found, namely, that important towns which regularly vote "dry" have a convenient safety valve in some nearby place under license. For instance, the town of Attleborough, population 12,702, and containing nine villages, is situate on the borders of Rhode Island and adjoins the license city of Pawtucket, with which it has direct communication by electric as well as by steam railway.

Another example is furnished by the town of Leominster, population 14,297, and containing four villages. It adjoins the license city of Fitchburg, with which it is directly connected by electric service. Similarly the town of Framingham, which at this time is under no-license, although it occasionally swings over to the other side, is helped out by the fact that on its northwest border it adjoins the license city of Marlborough. Moreover, Framingham (population 11,548) lies half way between Boston and Worcester, and is closely adjacent to the towns of Holliston and Hopkinton which occasionally legalize liquor selling.

Numerous examples of the same kind could be adduced from other parts of the State in evidence of the contention that the question of license or no-license is strongly affected by its geographical situation, and that, moreover, practically most of the important towns in Massachusetts constantly to be found among those voting no-license are within such easy distances of license places that there ceases to be a real issue.

That this is not a fanciful construction of the meaning of the no-license vote has been corroborated in various ways at different times. One of the clearest bits of evidence showing that a vote for no-license need not necessarily be reckoned as one in favor of the prohibition principle was afforded in 1889 when vote was taken upon a prohibitory amendment to the State constitution. There was at that time no other issue before the electors. Out of 350 towns and cities voting on the question, only 145, or considerably less than one-half, voted in favor of the amendment, although in the same year no less than three-fourths of the towns and cities had voted in favor of no-license.

Of the twelve cities voting no-license at that time, eight gave majorities against license, among them were Quincy and Cambridge, two of the most determinedly "no-license" areas in Massachusetts.

Although the leaders of the no-license movement in Massachusetts privately concede that the no-license vote does not really mean what it seems to indicate upon the surface, that is, does not reflect a prohibition sentiment, the outside world is not so informed.

There remain, of course, not a few Massachusetts towns that are too far removed from licensed places to be materially influenced by them, yet are mostly to be found in opposition to the saloons. For the greater part they are rural communities with few industrial interests, although some of them are of importance. That in these towns the vote against the saloon represents in great measure a conviction favorable to prohibition cannot be denied. Among these towns, however, are some with easy consciences in the matter of enforcing no-license regulations, to which reference will be made in succeeding paragraphs.

THE ENFORCEMENT OF LOCAL PROHIBITION.

Under the Massachusetts law, cities as a rule vote on the license question in December and the towns in March. In the case

of both cities and towns the vote becomes effective the following first of May. In the instance of a community alternating its policy on the liquor question from time to time, there are obstacles in the law itself to the perfect enforcement of prohibition, which require some explanation. After a city under no-license has voted to reintroduce the saloons, a period of four months ensues before the vote becomes effective. The fact that a time of license is approaching tends to weaken efforts at strict enforcement, and the bars are gradually let down. On the other hand, when a city long under license votes itself "dry," it usually does not conform to the new condition at once. Some dealers who have lost their privileges attempt to cheat the law, especially if the police happen to be complacent. And within eight months of the opening of the no-license régime the city holds another election at which a majority is returned for license. If enforcement was lacking before, the motive for it has now largely disappeared. The result is that only for a few brief months does such a city feel the effects of "dry" times.

It may be laid down as a rule that in a city shifting its stand on the liquor question annually, enforcement is more or less of farce, and that the illicit traffic is nearly always extensive. The city of Salem furnishes an instance in point.

In this connection it may be observed that the periodic change from "wet" to "dry" and *vice versa* tends to create not only an undesirable class of liquor sellers, but one that is meddlesome and perniciously active in local politics. It is accepted now almost as a truism that the more perfect the license law as well as the method of its enforcement the less likelihood there is of interference in politics by saloon keepers. They are men then of some responsibility or they would not have been granted the privilege. From every point of view it is to their advantage to obey the law. They are let alone and have therefore no need of seeking "influence." On the other hand the lower the grade of the saloon and its keeper, the more surely will his place become a center of a harmful political activity. This has already been shown to be the case in other States, and applies to saloon conditions universally.

The factors making for a no-license vote directly influence the question of enforcing local prohibition. If the prevailing sentiment of a city is that the saloons shall be excluded the matter of enforcement becomes simplified, provided a safety valve is at hand and the

purchase of liquor is convenient. On the other hand, if no-license results from an artificially propagated sentiment and does not represent the sober thought of responsible voters, enforcement becomes difficult, especially where the city or town is far away from a licensed place of supplies.

In the municipalities contiguous to Boston the question of enforcement may be regarded as fairly well settled. In the main the law is observed. There are, of course, outcroppings of the illicit traffic in the shape of kitchen bars and similar institutions; but these are for the greater part sporadic manifestations. The convenient access to Boston saloons and the ease with which liquor supplies can be purchased take away the incentive to patronize illicit places. It is difficult to believe that in these municipalities citizens would continue to give majorities for local prohibition in the event of radical failure to enforce it. A thorough demonstration of such failure would cause a speedy return to license. Yet even in these places enforcement is by no means equally successful. Much depends upon the character of the population. In the city of Waltham, for instance, the existence of kitchen bars to the number of 100 has been reported.

There is no evidence in these no-license areas about Boston of any collusion between illegal dealers and the authorities. This does not mean, however, that enforcement is always impartial and absolutely thorough. In some of the prohibition municipalities and towns adjacent to Boston there are, and for a long time have been, certain places where liquor is dispensed contrary to law, but are not interfered with by the police. These places are for the greater part clubs patronized by the well-to-do, and to which, of course, only members and their guests have access. Occasionally places enjoying such unlawful privileges may be inspected as a matter of form, but always after due notice. On the other hand, the same police authorities which overlook these "irregularities" could generally be trusted to pounce upon a man undertaking to sell liquor for private profit to his neighbors. Occasionally a hotel may be found to enjoy exemption from enforcement. While no general corruption results from these conditions, it amounts to there being one law for the well-to-do and another for the poor.

Probably the worst offenders in no-license areas under consideration are the drug stores. How much of their business is legal and how much is illegal no one can say. At times their busi-

ness has been open to a great deal of suspicion and given rise to considerable local agitation. It is possible for a drug store to carry on extensive sales of liquor and yet remain nominally within the law, or at least free from interference. Strong efforts have been made, however, by the State Board of Pharmacy to punish druggists who are prone to stretch the law for their own benefit.

But to say that within the no-license municipalities in the neighborhood of Boston local prohibition is on the whole well enforced does not imply that these places are solely dependent upon a visit to Boston in order to procure liquor. To all of them liquor is imported from Boston and other places on an extensive scale. So much effort has been expended upon the regulation of such importations to no-license territory that it requires extended mention.

Of recent years the question of a better regulation of the transportation of liquor into no-license places has given rise to considerable legislation. It is significant both as evidence of the attitude of the public which habitually votes out the saloon and of the impossibility of actually making a city or town "dry" merely by stopping the legalized sale of liquor.

Until the year 1906 the only restriction on the transportation of intoxicants into no-license communities was a statute which placed this transportation exclusively in the hands of the railroad companies and persons carrying on a general express business. This practically left anyone who owned a team and would organize an express company free to engage in the transportation of liquor. It also gave those engaged in such ventures an opportunity to operate on their own behalf as sellers of liquor from the stores carried or secreted. Now and then seizures would be made from express companies; but the facilities for obtaining liquor were so ample that consumption did not receive the expected set-back in no-license places. To a great many who vote against the saloon, not from the conviction of the teetotaler, but simply because they do not desire its proximity, this condition was largely a matter of indifference. But the prohibitionists realized that their efforts were being nullified and finally secured the passage (1906) of the so-called "pony express" bill. This law requires all persons except railroads (both steam and electric) to secure a permit from the authorities of the no-license place before they may transport liquor into it. Although the permits might be limited in number

the law did not specify that they should be issued to persons engaged in a general express business; and the question of transportation was not solved. A subsequent act provides that permits to transport liquor into no-license places may only be granted to "persons or corporations regularly and lawfully conducting a general express business." It still remains for the courts finally to interpret the clause.

Meanwhile the law does not put any restriction upon the operations on the railroads except that packages of liquor shipped from one point to another within the State must be marked so as to show their contents. Ordinarily the transportation of liquor through the medium of the great express companies on railroads occasion little difficulty, for, as a rule, they have permits for local distribution. If not they may refuse liquor shipments from a license to a no-license point within the State.

It is another matter when liquor is shipped by freight and the final delivery is made through a local expressman. He must in all cases have a permit before turning it over to the consignee. Otherwise, under the law, the latter must call for it in person. Where no permits are issued the troubles of the customer have led to much grumbling and in some recent instances have been reflected in reduced majorities for no-license. Various devices have been employed to beat the permit law and the legality of some of them is still finally to be passed upon.

As a rule, however, permits are granted and the customer has things made easy for him, for a local expressman thus licensed has a right to fill orders for liquor by notifying the dealer to consign it to him by freight or by calling for it with his team.

The stricter transportation regulations have probably prevented to some extent illegal selling on the part of persons ostensibly engaged only in the shipment of liquor. It is not believed to have stopped the kitchen-bar trade, which is a much more insidious form of violation. And there is no evidence to show that these transportation regulations have seriously interfered with home consumption. But this is a matter which does not seem to cause the advocates of no-license great uneasiness. It should always be remembered that the residents of the no-license places in the immediate neighborhood of Boston patronize Boston places where liquor is sold, whether they be saloons, hotels or clubs, on a liberal scale. The fact that not far from one-half of the persons arrested

for drunkenness in Boston in the course of a year are non-residents attests it.

Where cities are removed from the direct influence of Boston conveniences in the matter of liquor supplies, the question of enforcement often assumes a different phase; and the larger the city, the more difficult it is to secure strict compliance with the law. In the city of Worcester the kitchen-bar trade has been extensive and not successfully suppressed during its two-year period of no-license, although the thirsty inhabitants of Worcester did not have so far to go to reach a place under license. Here certain local conditions rendered enforcement difficult. Persons engaged in the liquor business deliberately helped to bring about no-license, knowing that they could make the kitchen-bar trade sufficiently remunerative to recoup losses.

In the city of Fall River, the second largest city under no-license among those distant from Boston, the law has been more strictly enforced than in Worcester; but here the incentive to illicit traffic was also less, because of the easy access to the license town of Tiverton across the line, in Rhode Island. In fact, the scandalous condition arising from the impetus given to the saloon traffic in Tiverton by citizens of Fall River was no doubt a strong factor in making Fall River return to the saloon system.

Of special interest in considering the matter of enforcement is the city of Brockton, which is the only one of any magnitude and at some distance from Boston which has remained steadfast to its program of no saloons for a protracted period. Brockton had a population in 1905 of 47,794. Its interests center around the shoe industry. Much effort has been made by the enlightened capitalists to make the city attractive for residence as well as for business purposes. Indeed it would seem to have all the elements for a rapid growth in population, yet the percentage of gain has rather diminished at each succeeding census. As Brockton is only 20 miles away from Boston, the importation of liquor in various forms is quite easy. At times there has been a fairly lively dress suit case trade in whiskey between the two cities. Young men carrying heavy dress suit cases may be seen alighting from Boston trains at Brockton in suspiciously large numbers. Another extensive source of liquor supplies are the drug stores. They sell very little liquor on medical prescription. Most of them sell illegally and freely to persons who are known to them, but are careful in

selecting customers. It has been estimated that out of approximately 28 drug stores 24 have not lived up to conditions prescribed by the statutes. A considerable amount of alcohol dispensed in large part by drug stores is consumed as a beverage in Brockton by confirmed drinkers who are locally known as the "stretch gang." Their method is to buy a quantity of alcohol and dilute it to about one-half. This drink, which is called "split" is cheaper than whiskey and of course as productive of intoxication. In Brockton, as well as in other no-license cities, there is a brisk trade in patent medicines containing a large percentage of alcohol.

The kitchen-bar trade has flourished more or less in Brockton. How it compares in magnitude with that of some other no-license places cannot be stated. On the other hand, the quantity of liquor brought into Brockton is of such bulk as to dispel all idea that Brockton is actually a dry city. According to the accounts of the express men who are licensed to ship liquors to Brockton, about 175 barrels a week, equalling more than five gallons per capita during the year, were brought in during the two months of a recent year. This was, of course, principally malt liquor manufactured within the State. In regard to the quantities of liquor shipped from other States and not subject to the same local control, figures are unobtainable. In addition, large quantities of liquor are brought into the city in other ways, through the dress suit traffic, as personal baggage, etc., of which no estimate can be made. Under the circumstances it is not strange that the number of arrests for drunkenness in Brockton should considerably exceed a thousand per year, although many of its drinkers are also cared for by the police of Boston at different times.

Allusion has already been made above to conditions in the city of Salem under no-license. It is far enough removed from Boston to lend an extra incentive to illicit traffic. During its alternate dry years the city has always been more or less honey-combed by kitchen-bars, and the question of enforcement has proved a serious one. At times sensational raids have been made, but the attitude of the authorities towards enforcement has often been unsatisfactory and has caused some public scandal. As in Brockton the druggists of Salem have been quite active in dispensing liquor during seasons of no-license. Thus, during Salem's latest experience with a "dry" policy the sales of liquor by druggists were estimated to have been about 200 per day. In fact, some

drug stores apparently existed for no other purpose than that of selling liquor. The amount of liquor shipped into Salem both from without the State and within it during a no-license year cannot be stated definitely. It is, however, sufficiently large to place Salem in this respect on a par with the city of Brockton.

It was intimated in earlier pages that the regularity with which Salem votes no-license every other year finds its chief explanation in the strife between dealers for the possession of licenses. This means that there is a liquor dealing element which at "dry" times can be depended upon to foster the illicit traffic. The presence of such an element puts many obstacles in the way of decent enforcement which are far less conspicuous in places that stick to the same policy for longer periods of time.

During the last year of no-license in Fitchburg (45 miles distance from Boston) there was said to be no less than 100 kitchen bar rooms in operation. The habit of drinking diluted alcohol had also made considerable headway. Much trouble had arisen over the question of the transportation of liquor, and no permits to local express men were issued. This, however, could not keep out shipments from without the State by rail and otherwise. But the purchaser was put to much inconvenience and some extra expense as he had to depend to a greater extent upon the more expensive shipments from without the State.

It is reported that during a period of little more than twenty weeks the druggists of Fitchburg had recorded a total of over 21,000 sales, or an average of over 150 per day. Naturally there is ground for believing that these sales included only a part of those actually taking place. Be that as it may, when Fitchburg was under no-license the druggists were popularly considered to be liquor dealers who paid the nominal fee of one dollar for the privilege. This fact proved a factor in the next election and helped to gain votes for license on the ground that since liquor was sold freely anyhow, it was better that the city should receive a substantial income from the traffic than to allow it to remain in the hands of people who were granted a valuable franchise for nothing.

The experience of all cities in Massachusetts with the enforcement of local option has in essentials been the same as that of the cities mentioned. The farther they are removed from a convenient and sufficient safety valve like that afforded by Boston, the greater the difficulty has proved to secure implicit obedience to law.

Although no satisfactory statistics of consumption can be presented, enough is known about the transportation of liquor into them to prove beyond doubt that the drink habits of such cities have not been profoundly affected by closing the saloons.

The persistent no-license towns, whether near Boston or at some distance, present the matter of enforcement on the whole in a more favorable light. Those with a small population scattered among several villages and farms have enforcement made easy. The illicit traffic cannot very well remain secret. Moreover, the towns, especially the smaller ones, harbor comparatively few foreign inhabitants, and it is there one looks for simon pure prohibition sentiment which knows no compromise. Generally speaking, local prohibition is well enforced in the smaller towns.

Less flattering are the no-license conditions in the more important towns, especially those some distance removed from license cities and with industries of their own, which usually signifies the presence of a foreign born contingent. Very appreciable quantities of liquor are shipped into such towns for home consumption. The kitchen-bar trade is also to be reckoned with. The chief sources of local supply, however, are the drug stores. The absence of saloons tends directly to stimulate their trade in liquors, and it is not surprising, therefore, that druggists in several important no-license towns contribute to the support of the Anti-Saloon League and similar bodies at the time of the annual elections. In the populous towns which form suburbs of Boston the question of enforcing the law even as regards the drug store traffic is unsatisfactorily solved in many instances.

It was stated on a preceding page that some towns evince easy consciences in the matter of enforcing local prohibition. This applies with special force to a number of smaller towns on the coast that are largely patronized by summer guests and also to a few inland towns prominent for their inns. In some of these towns it has become a habit to tolerate the sale of liquor to guests of certain hotels. While known to everybody as a direct violation of the law, it is permitted by the authorities, although generally with the understanding that with the close of the hotel season all liquor selling shall cease. As a matter of fact it does not. Since the sale of intoxicants in these places is winked at, some favor must be shown to the townspeople who do not resort to them. The result generally is that a kitchen-bar trade is permitted to

flourish, and some laxity shown in keeping drug stores to the letter of the law.

A conspicuous example of this sort is afforded by the no-license town of Marblehead, which permits liquor selling at some prominent clubs, most of them being open only for a season, but one being an all-year affair. The authorities could not retain office and discriminate rigidly against their fellow townsmen. Therefore, the town of Marblehead can never be said to suffer because it is tightly closed.

SOCIAL RESULTS OF NO-LICENSE.

Three classes of writers have been busy in setting forth the results of no-license in Massachusetts. First those who start out with the assumption that social regeneration begins and ends with the prohibition of liquor selling. They never fail to find satisfactory evidence of a diminution of drunkenness under a no-license régime or to discover diminished crime and poverty rates, with a corresponding increase in general well-being. Imposing arrays of figures and alleged facts are produced in evidence.

The second class of writers are as concerned with the presentation of proof that no-license fails to stop the consumption of liquor and that prohibition hurts business. The facts and figures cited often bear palpable earmarks of the trade, and sometimes the evidence adduced appears to be manufactured for the purpose of furnishing arguments for license.

Now and then some unbiased student endeavors to grapple seriously with the problem and to subject all available facts to proper tests regardless of the conclusions to which they may lead. Of such efforts it may be said without fear of successful contradiction that they have largely been barren of final results. That is, an examination of the evidence in regard to the advantages gained by a no-license city over one of the same character and population under license as demonstrated by fewer arrests for drunkenness and crime, smaller expenses for charity, large bank deposits, greater prosperity, etc., etc., has proved negative.

The test of the applicability of no-license lies in the fact that a community once having voted out the saloons does not demand any substitute for them by way of illegal sources of supply. In other words, a community in which only a negligible minority desires the luxury of the saloon or its substitute gets advantages

from no-license. To take any other view would be equivalent to declaring liquor a necessary of life rather than a luxury and the saloon as the only means for providing such a necessary. But the saloon is distinctly a purveyor of a luxury, and when a community does not demand it, it would be idle to contend that such a community would be better off with saloons.

Much depends upon the attitude revealed by the voters at the annual local option election. Thus, if a large town, especially one remote from a license center, changes its policy from time to time, it signifies the existence of an element in favor of license so strong that it is practically certain to nullify any gain to be derived from no-license. In such towns the law will not be properly observed, and its non-enforcement is productive of greater evils than those associated with well-regulated saloons.

The applicability of no-license to cities in Massachusetts is distinctly limited. In the group of cities surrounding Boston which are in the nature of suburbs there is no active demand for license which may not be denied with impunity. Their inhabitants vote "no" as a matter of home expediency, not because they object to license on principle. Many of these places are purely residential districts and it is felt that saloons would attract an undesirable class of inhabitants.

It still lacks substantial proof that a Massachusetts city remote from Boston can show any substantial moral or material gain from no-license. Brockton is not excepted. Occasionally "dry" years are usually worse than none. Not only is the period of no-license usually too brief to afford a reasonable test (this lies partly in the law itself), but when a return to license takes place, the reaction is usually violent and leads to excesses. Ordinarily such cities vote "no" in response to an artificially propagated sentiment. The minority favoring license is strong enough to thwart efforts at enforcement. The consumption of liquor hardly diminishes, but assumes more harmful forms. And, worst of all, non-enforcement of the law leads to a species of social demoralization quite as dangerous as the abuse of liquor, which has not ceased.

To sum up, Massachusetts experience teaches clearly that the enactment of local prohibition of itself does not demonstrate its true applicability; furthermore, that benefits from no-license are only to be hoped for through rigid adherence to the same

policy supported by a majority of the voters large enough to ensure thorough enforcement of the law. Where these conditions are met, no-license is a success.

Some attention must now be given to the statistical evidence commonly advanced in support of no-license advocacy. The arguments drawn from increase of the no-license vote which is taken as showing a conviction of the benefits of no-license, may be dismissed in a word. The apparent gain in such vote over a period of years may be more than offset by the loss in a single year. This was demonstrated in the latest municipal election.

It is equally futile to cite the growth of population in no-license places. The rapid expansion of population in the "dry" area surrounding Boston is wholly due to physical causes which may be summed up in the sentence that Boston has not room for them, least of all cheap room. Population follows material prosperity. The introduction of new industries or the expansion of those existing inevitably adds to population, quite dependent of any liquor policy. Of this there are numerous examples. On the other hand, there is no evidence of rapid growth in such no-license cities as Newburyport, Beverly, Brockton, etc. Rather their gain is very slight, but is wholly unrelated to a condition of no-license. Comparisons in respect to growth of population between license and no-license places is barren of all proof.

Much is made of facts concerning taxation and valuation as showing the benefits or non-benefits of no-license. It is a favorite argument against no-license that it means an increased tax rate. In the case of Massachusetts cities, for instance, it is perfectly feasible to show that at certain times some no-license cities in Massachusetts have a higher tax rate than those under license. Where a city has a substantial increase from liquor licenses, it is self-evident that the loss of this revenue must somehow be made good unless the service is to suffer, and as a rule a higher tax rate results. At the same time it must be conceded that in several ways saloons may be a business asset which cannot be wiped out without financial loss to the community. The mere statement of the rate of taxation means little. Conceivably a no-license city might show a lower tax rate than any under license. The fact would be unimportant unless one is also clearly informed what the citizens get in return, how far a rate is a result of special methods of assessment, whether a high rate means extravagance, etc.

A few examples will suffice to show the futility of basing "dry" arguments upon the tax rate. The city of Springfield, which has always been under license has a lower tax rate (about \$15.00 per thousand) than any no-license city. Last year Springfield was able slightly to reduce the tax rate, while Worcester, under no-license, found it necessary to make an increase. But to argue from these facts that Springfield enjoys tangible advantages over no-license cities in its liquor policy, or to say that no-license has evidently hurt the prosperity of Worcester as compared with Springfield, would be downright stupid. Some of the no-license cities have notably higher tax rates than license cities of a corresponding population; for instance, Cambridge, Everett, Medford, Newton, etc. The fact by itself means nothing, and only becomes significant when accompanied by explanations of the needs of such cities, what they afford by way of municipal service, what is demanded, etc.

Another favorite argument used both for and against license is based upon the bank deposits and the number of depositors. It is very largely deceptive. A reason for this is that one can never know what form of investment savings take. It is conceivable that large savings may be put into securities rather than placed in banks, or a large part may be hoarded. This is often the case where there is a large foreign born population. Furthermore, there is no way of knowing to what extent citizens of one city utilize for deposits the banks of another. If one should take the savings bank deposits in Massachusetts as a criterion of the value of no-license, they surely would lead to false conclusions unfavorable to no-license. Thus, as a matter of fact, the savings banks in license cities show relatively the largest number of depositors in proportion to population, and the greatest average deposits per capita. But what does it mean? In the no-license cities surrounding Boston it is unquestionably true that a great many depositors favor Boston banks rather than those of their home city, and therefore the figures are misleading.

In like manner, the national bank deposits show the average per capita deposits in license cities to be larger than that of the no-license cities. It would also be possible to show that the greatest increase has taken place in some cities under license. But we do not know the number of depositors in national banks, nor is it possible to gauge the cause of increase or decrease in the size of the deposits. There is no standard of measurement. The cities are unlike in

character, population and industries. One city may enjoy prosperity while another has a period of diminished prosperity. There is a constant fluctuation in the condition of the industrial and commercial world which has immediate effect upon bank deposits, and allows no room for refined speculation of the relation of the size of bank deposits and savings to a no-license policy. Several of the larger cities of Massachusetts are largely populated by mill workers. During long periods of business depression the savings of this class cannot be significant. It may happen that during a period of this kind such a city is under no-license. To institute prosperity comparisons between such a city and one under license with better business conditions would not only be meaningless, but grossly unfair.

All other things aside, it should be remembered that of the so-called no-license cities not a single one enjoys perfect freedom from the burdens incident to the liquor traffic. It has been shown in preceding pages that in all these cities there is a considerable consumption of liquor, and doubtless in some of them hardly less is used than if the places were under license. Without exception they all show that numerous arrests for drunkenness are made each year, and are called upon to bear quite their proportion of the cost of supporting the dependent and defective classes. These facts alone would seem to be sufficient to vitiate any argument for or against license based upon so elusive a matter as the financial condition of cities and their inhabitants.

The close relation existing between poverty and drink, whether as cause or as effect, has led to much scanning of the cost of public charity, in order to find support for the contention that no-license tends to make people self-supporting and thus to reduce the burden of public charity. Persons engaged in charity work are not loath to lend it support by evidence drawn from their own experience showing the beneficial effect of no-license upon their charges. Attention is frequently called to the apparent fact that the number of persons supported by public charity in no-license cities in proportion to population is smaller than the number of such persons in some license cities. In like manner, the average cost per capita of poor relief when applied to the two classes in cities seems to be rather in favor of those under no-license. It should be borne in mind, however, that the pauper rate as well as the rate of cost of supporting paupers even in places which have for a number of

years been under no-license vary to an extent which wholly invalidates comparisons. There are, furthermore, so many other factors influencing the condition of poverty that are unaccounted for in the usual statistics. Large industrial centers, for example, with their large aggregation of meagerly paid working class population will necessarily show a larger pauper rate than cities without such populations and on the whole more stable business conditions, many of which are found in the no-license column.

If poverty necessitating public relief resulted from the abuse of liquor alone, the opportunity for showing the effect of no-license upon the poverty rate would be somewhat better. Besides the real burden upon a community flowing from the inability of a certain number of persons to help themselves is not shown by exhibiting merely the cost of public relief. The greater the activity of private charities and the more ample their means, the less call there will be upon the public. It may be mentioned in this connection that so far as private charities attempt to account for the causes of distress, those in no-license places find quite as large a percentage attributable to drink as those in places under license.

One of the most important and striking results of the inauguration of local prohibition in a community is usually held to be the decrease in the number of arrests for drunkenness. Therefore statistics of arrests for drunkenness constitute perhaps the strongest statistical ammunition used by the advocates of no-license. But as a test of the actual state of sobriety, statistics of arrests are peculiarly deceptive in Massachusetts. Reference has already been made to the almost unparalleled proportion of non-residents of Boston arrested in this city. This means, in other words, that from nearby cities and towns under no-license visitors come to Boston in great numbers, many of whom get drunk. While their arrest in Boston should properly be credited to the arrest rate for drunkenness in their home city, this of course never happens. As has been shown in previous pages, places under no-license at some distance from Boston also usually have access to nearby places under license and contribute to an increase of the number of arrests there. This condition alone is sufficient to confound comparisons. It is well known also that the policy in the matter of arrests is not the same in all cities whether they happen to be under license or no-license. Besides, the policy changes from time to time so that comparison over any extended period without due regard for local changes are beside the mark.

It might seem that some fairly definite conclusion could be arrived at by comparing the difference in the rates of arrests in the same city for years under license with years under no-license. Superficially such comparisons show the number of arrests to fall off in no-license years and lead to the conclusion that there has been a proportionate decrease in drunkenness. But the difficulty is not so easily solved as this. If one could say that the cessation of the legalized sale of liquor was equivalent to a cessation of drinking, the situation would be far different. This, however, is hardly the case. Not only do the arrests for drunkenness in no-license cities in Massachusetts, taken as a whole, show a rate of about 18 to 19 per thousand of population, while there is no accounting for those who go to other cities and get drunk; but there are other cases of drunkenness which do not come to light. When a no-license city supports a kitchen-bar trade, it is the inevitable policy of the seller of liquor to shield his intoxicated customer from arrest. Those who take their intoxication at home rather than in public places likewise escape being counted in the statistics. The fact that the rate of arrests for drunkenness in license cities averages perhaps ten points higher than in cities without license must therefore be taken with all sorts of allowances.

That, exceptionally, no-license in cities tends to diminish the arrests for drunkenness is unquestionably true, although it is impossible to produce wholly trustworthy statistics. And that the introduction of licensed liquor places in many "dry" Massachusetts towns would cause the rate of arrests to rise to hitherto unknown proportions does not require demonstration.

So far as the no-license cities are concerned, the only absolutely certain conclusion to be drawn from statistics of arrests is that they effectually refute the claim that such cities have been made thoroughly dry.

CONCLUSIONS.

Although the foregoing studies relate to conditions in only four States, they offer evidence for some conclusions of a general character. It is believed, moreover, that an examination of the workings of local option in other States would not disclose fundamentally different conditions. Not only are the laws too much akin, but the liquor selling conditions are too similar to make it likely that radically different results are obtained elsewhere. It seems, therefore, quite within reason to consider the operation of local option described as generally typical of the United States.

1. CONDITIONS THAT MAKE FOR LOCAL PROHIBITION.—In three of the States examined, namely, Ohio, Michigan and Indiana, the present local option movement appears to have been set in motion by the temperance wave which has agitated the Middle West in common with other sections of the country. Indeed, the new county local option laws of both Ohio and Indiana must be regarded as a direct outgrowth of this latest agitation. In Michigan the local option law, although by no means of recent date, had for years been allowed to remain dormant, and would probably have remained so under normal conditions.

It is clear that especially in Ohio and Indiana, and to some extent also in Michigan, the deciding factor in local option elections has been the condition of the saloons. It is true that in several instances the movement for local prohibition did not originate with the community to be affected, but received a more or less artificial stimulus from without through the Anti-Saloon League and other professional temperance workers. Yet it is equally true that the bad conditions of liquor selling largely helped to make the majorities which decided the elections. The excesses of the saloon manifested themselves chiefly in two directions: First, in flagrant disregard for both statutory and local regulations as to hours of selling, restrictions upon sales to minors, women, etc.; secondly, in pernicious activity in local politics. Only in exceptional instances, and that in districts essentially rural in character does local

option appear to have been enacted in response to a sentiment indicating a prohibition conviction. Elsewhere, especially in counties with large urban populations, it seems extremely unlikely that no license majorities would have been obtained had it not been for popular disgust with the prevailing methods of liquor selling.

It is not difficult to discover the root of the deplorable conditions of the saloon existing in Ohio and Indiana, and only in a lesser degree in Michigan. Under the license law of all these States adequate regulation of the traffic is impossible. The fundamental trouble lies, of course, in the lack of proper licensing authorities and restrictions by way of conditions of license. In Ohio, under the tax law, there is no check upon the number of saloons, nor do conditions attach to the privilege which prevent men of no responsibility or even of a bad character from engaging in the traffic. In theory as well as in practice it is merely a question of paying the stipulated taxes, and not one of scrutinizing carefully the character of the man who pays it, and of surrounding the traffic with carefully drawn regulations which sufficiently guard abuses and become, so to speak, automatic in causing a revocation of the privilege in case of proven violation. The State of Ohio is over-salooned, and the general type of liquor places is low.

In Indiana there is also a superabundance of saloons. The statutes impose no limitations in regard to their number, and the license fees have been put at a figure which makes it too easy for financially irresponsible men to embark in it. The most direct cause of the deterioration of the saloons has been that the licensing power is in the hands of county or municipal authorities. If anything is clearly taught by the experience of license legislation it is that to make elective councils and similar bodies the licensing authority is uniformly a bad policy. Among other things, it results in a direct invitation to liquor sellers to become active in politics. In other words, it enables them to control the persons to whom they are indebted for licenses, which is equivalent to saying that they really prescribe in what manner liquor regulations shall be enforced. Under proper safeguards of law, and with competent authorities empowered not only to grant licenses but to revoke them, the spectacle of law defiance exhibited by the Indiana saloons would scarcely be possible.

Michigan, too, lacks a license law. The saloon keepers receive their privileges from local elective councils or trustees, and are

directly tempted to take a hand in local politics for the purpose of securing officials of a complacent attitude towards their business, or are helped into office by the liquor dealers with the understanding that they must pursue a course of non-interference. A flagrant example of this was afforded by the saloon conditions in the city of Jackson. The essential radical defects of the Michigan law are therefore the same as the defects of the laws of Ohio and Indiana.

Of Massachusetts, on the other hand, it cannot be said that the no-license vote is at all to be construed as a protest against the excesses of liquor selling. The license law of this Commonwealth is on the whole adequate in its prescriptions concerning licensing authorities and their powers, in the limitation placed upon the number of license places and in regulations of a general character. In consequence, law-abiding saloons have been the rule rather than the exception.

In Massachusetts other factors have produced local prohibition than the bad conduct of the saloon. The situation in this State is without a parallel. So far as the small towns are concerned, local prohibition existed a long time in advance of any elections. Of the larger towns few are under no-license unless they are so situated that they practically enjoy all the conveniences of a place under license through the proximity to "wet" cities.

With one or two exceptions local prohibition cannot be said to have become a settled policy in any Massachusetts city unless such city has a safety valve in the shape of an easy approach to Boston saloons or the saloons of some neighboring city. The fact that Massachusetts is so largely urbanized and that the various communities are so closely bound together by rapid means of transit, strongly influences the local option situation and introduces factors that do not exist in the other States under consideration. In short, in Massachusetts local prohibition is chiefly exemplified in places where there really is no need of saloons because they are furnished by some other community (chiefly Boston), and small towns where the prohibition sentiment is strong and where in generations there has not been any legalized sale of liquor. In a State less compact and less urban similar conditions could not be duplicated.

2. THE ENFORCEABILITY OF LOCAL PROHIBITION.—It may be said with some degree of truth that the local option experiments

in Ohio, Michigan and Indiana are of too recent date to enable one to judge of the probable outcome in the matter of enforcement. A trial of a few months or a year does not permit final conclusions. Yet the evidence produced in preceding pages at least points definitely in certain directions. Thus, when a large urban community has been forced to accept local prohibition against the clearly expressed wishes of a majority of its inhabitants, the likelihood of competent enforcement is extremely small. No matter what the law may be or what legal safeguards may be added to those already existing, it is an old story that the will of the majority settles the outcome. If it has proved impossible to compel obedience to State-wide prohibition laws in cities where the sentiment is unfavorable to them, there is much less prospect of obedience in municipalities that have been put under the lash, so to speak, by an extra municipal population of a different sentiment.

In the three States mentioned open defiance of the law has been the rule rather than the exception. Under such circumstances the laws not only fail to prohibit, and wholesome restraint upon the conditions under which liquor is sold disappears, but official corruption ensues. The question of enforcement is made a direct issue in local politics, and the public mind is taught a contempt for this law which inevitably breeds contempt for the authority of law generally. That conditions in this respect will be mended by adding penalties or by any other means is extremely unlikely. Violations may thus be checked temporarily, but not permanently. No prohibitory law is enforced in the long run unless it is backed by the sentiment of the community.

The long experience in Massachusetts has taught much the same lesson. There is this difference, however, that here cities and towns are not being forced to accept prohibition against the wishes of the majority of its inhabitants. This is because the unit for general administrative purposes has also been made the unit in local option elections. There are, of course, instances in which the majorities against license prove to be of an artificial nature; sometimes due to the attitude of the trade, and again in response to the methods of temperance agitators. In such cases local prohibition is destined to be short-lived.

In Massachusetts also it has been found extremely difficult and practically impossible to secure thorough respect for no-license

regulations in the larger places, unless there were little temptation to evade them. In other words, the law has proved enforceable when citizens merely had to cross an imaginary boundary line, or travel a short ways to reach a place under license. On the other hand, in the large cities which have tried the experiment of local option and are far remote from other license centers, enforcement has never been successful, and has been attended by the usual ills resulting from an unenforced law. In such instances there has usually been a speedy reaction and return to license. It should be remarked, however, that in none of the large cities, with the exception of one, has the experiment of local prohibition been tried consistently for a long period of time, unless such cities have convenient access to a place under license.

3. THE APPLICABILITY OF LOCAL OPTION.—A primary consideration is what should constitute the unit for purposes of local option elections. In Ohio, Michigan and Indiana the county has been made the unit; in Massachusetts the town or the municipality. It seems a sound general principle that the unit in local option elections must be one that permits the free expression of the desires of the individual community. Such an expression, however, becomes an impossibility under a county local option law when a county contains an urban center of some magnitude, which is the important part of the county, in deciding the question of license or no-license, since it is the part which will be chiefly affected. To argue that the interests of the rural inhabitants and those of the city are the same because they all happen to be within the same county lines is absurd. One need only mention that in many such cities, the city is largely independent of the rural districts and relies for its commerce and growth chiefly upon the outside world.

It has been shown that in county after county in the States mentioned, local prohibition was foisted upon the inhabitants of the municipality against the desires of a majority of its voters. Not only is there a lack of equity in allowing a population whose interests do not center in a municipality to dictate its policy, but it leads to a practical nullification of the very end sought by the law, the prohibition of liquor selling. Only in exceptional instances where, for example, a county is exclusively rural, or has at most a number of villages similar in character and population, does it

seem just and hopeful from a temperance point of view, to make the county the unit in local option elections; and in such instances the urban communities will usually be found to vote with the rural inhabitants.

In Massachusetts, where the town or city is the unit for administrative purposes, the success attending local prohibition has largely been due to the fact that the individual community has been left free to express its opinion and decide its own fate accordingly. The present local prohibition conditions in Massachusetts would not exist if the liberty of the town were interfered with by the rural dwellers.

These considerations bring up the question of the applicability of local option. It may perhaps be said that in the States of Ohio, Michigan and Indiana, the experimentation with local prohibition is of too recent date to permit any final conclusions. One must, therefore, fall back upon Massachusetts. This Commonwealth has demonstrated in its past history that, on the whole, local prohibition is a safe policy only in the smaller communities, and then always with certain limitations; but that to populous centers or cities, local prohibition is not applicable, unless their geographic situation is such that all that goes with liquor selling is placed within easy reach of the inhabitants of the municipality which voted itself dry.

4. THE INSTABILITY OF THE NO-LICENSE POLICY.—It is evident that in order to secure the best results from local prohibition it is not enough to consider its applicability to different communities but conditions must be such as to afford reasonable stability to the no-license policy. An adjustment to a no-license régime is rarely effected at once, and a thorough test of its working cannot be had in a few months.

The local option laws which have been reviewed do not make for stable no-license conditions. The reasons for this are found in the unit prescribed for local option elections by law; in the fact that the question of license or no-license is made subject to the decision of a mere majority vote; and in the limited time during which the policy favored at an election can remain operative.

In Ohio, Michigan and Indiana the legislation providing for local option elections by counties seems likely to defeat its own ends. It has been demonstrated that elections by counties means,

in many instances, that the will, expressed by majority vote, of the most important parts of the counties, namely the cities, is being over-ridden. Where this happens local prohibition cannot be decently enforced, and powerful agencies will be at work to bring about its downfall. In the States mentioned there are already signs of a reaction in counties with large urban populations whose will in regard to the license question was thwarted by the rural vote. A speedy reversal of policy is likely to follow in these and will but illustrate anew the truism that sumptuary legislation lacking the support of the constituencies most to be affected falls by its own weight. In Massachusetts, where the town or city is the unit in local option elections, each community decides the question for itself and the element of instability noted in other States is removed. Yet other obstacles remain.

Is the license question a matter which rightly can be decided by a mere majority vote? When an election is carried in favor of no-license by a handful of votes, it signifies the absence of public sentiment sufficiently strong to secure a thorough enforcement of prohibition, and the likelihood of constant agitation to repeal it at the ensuing election. Experience shows that where local prohibition is enacted in response to a bare majority of votes the continuance of a settled liquor policy is impossible. And, as has already been intimated, a constant shifting from license to no-license and back again to license throws the question violently into politics and keeps alive a contest for liquor privileges in which defeat or retention of the saloon need not mean that public opinion veers, but simply that liquor interests are at war with each other.

For the purpose of securing a decision upon the issue which thoroughly expresses the conviction of the community, a local option election should require a two-thirds majority for or against. A less emphatic declaration against the saloon means that there is not enough conviction behind it to make prohibition effective. It is also to be remembered that mere majorities are often purely artificial products. Men may be cajoled into voting no-license against their real convictions for fear of giving offence, and electors are not infrequently carried off their feet by the perfervid enthusiasm and spurious arguments of the professional temperance agitator.

A third question relates to the frequency of local option elections. In Massachusetts the law provides for an annual election.

A common argument for it is that it "keeps alive the temperance sentiment." There are, however, indications that the annual recurrence tends to weary the electors. The civic value of placing the chief emphasis in elections upon the liquor issue may well be doubted. If one could grant that civic virtue exists only in cities that refuse to legalize the sale of liquor, the situation would be different. But the paramount question here is whether annual elections make for that stability of a no-license policy which is essential to its success. It has been shown that in Massachusetts the policy often does not get a fair trial. When, for instance, a city votes prohibition one year and license the next, a period of only a few months ensues during which no-license is actually operative. As a rule, whatever gain has resulted by way of greater sobriety, etc., is more than offset by the reaction upon a return to license.

In Ohio, Michigan and Indiana, the laws permit local option elections to be held only once in two years, and this is the prevailing rule in local option States. For rural districts this period may meet the needs of the situation, but for cities it does not make for a sufficiently stable liquor policy to ensure the best results. If the election results favorably to license the time is all too short for an adjustment to prohibition and a proper test of its results. On the other hand, the instability of license conditions tends to make liquor dealers of financial responsibility and standing give way to the least desirable element which during intervals of no-license can be depended upon to foster the illicit traffic.

The conclusion, therefore, seems warranted that local option elections should not take place oftener than once in three or, preferably, four years. If then the issue is decided by a two-thirds majority and the local community is left to work out its own salvation, there is hope of that stability which is essential to the success of local prohibition.

THE CLEAN-UP MOVEMENT.

One of the most significant phases of the present liquor situation in the United States is the determined effort made by those directly concerned with the traffic to rid it of excesses and secure compliance with statutory and local regulations. The movement has chiefly a two-fold object.

1. To secure a reduction in the number of licensed places where it is excessive and eliminate the law-breaking and otherwise undesirable element among retail dealers. (2) To obtain the enactment of adequate legislation for the licensing and general regulation of the traffic.

The movement emanated from and has been directed by associations of brewers. As it synchronized with the recent temperance agitation, many have questioned the real motive. Of course, the movement has not been free from selfish ends. It had become plain that in several parts of the country the saloon situation had reached a pass which could not be tolerated. The choice lay between a radical improvement or the probability of prohibitory legislation. But to say that the brewers were merely inspired by fear of financial loss is to confess ignorance of the temper of the men who have been the leaders. To them conditions had become no less irksome than to the public. Aside from the fact that in the end the excesses of saloons were unprofitable in a pecuniary sense, they as citizens had sincere regard for the social consequences of an unregulated and law-breaking traffic. This is evinced not only by their public utterances but by their efforts for restrictive legislation to which reference will be made later.

So far greater activity has been displayed in bettering liquor selling conditions in Ohio than in any other State. The fact is suggestive, for Ohio has a liquor law so defective in proper restrictions upon the retail sale of intoxicants that the evil state of the saloons may be laid in large part directly to the law itself. On the other hand, States having the most effective and stringent license regulations have not yet felt the need of clean-up work on a general scale.

In Ohio the brewers support a Vigilance Bureau, so-called, to which is entrusted the task of bringing about better saloon conditions. How its work is done may be gathered from the following extracts of the report of the Bureau for the second year of its existence (ending October 1, 1909):

"The Bureau is no longer a novelty or a mere experiment. It has demonstrated its usefulness, not only to those who created it, but to the minds of those outside who were inclined to doubt.

"At the beginning of the work two years ago, the Vigilance Bureau had in many localities the civic officials to fight as well as the disreputable liquor sellers. Today most of the officials have given up all thought of opposition, and many who have fought us stubbornly are now with us and help us in every way. Many ask us to come to their aid. . . . We have found quiet, unobtrusive methods best in a vast number of cases. Thus, a great deal of cleaning up by the Vigilance Bureau escaped the attention of the officials as well as the community at large. It was possible in many instances to satisfactorily regulate a saloon or to adjust matters with the owner, eliminating this or that bad feature without causing the place or the owner any notoriety.

"The organization of our own detective system was a great improvement. It insures secrecy where secrecy was necessary, more than doubles the efficiency of the Bureau, and lessens the expense. . . . Strong evidence of the importance of the utility of the work done by the Bureau is the growth of confidence among the people of Ohio. We are in constant receipt of letters from persons interested and disinterested in the traffic, advising us of abuses that should be done away with, and of liquor sellers who need discipline and regulation. Whenever letters of this kind are received, investigation is made as soon as possible, and if the information proves to be correct, the places complained about are either satisfactorily regulated, the bad feature or features eliminated or legal action is begun forthwith against the offenders.

". . . . In not a few localities, persistent efforts were made to cast doubt on the sincerity of the brewers in their determination to obey the Dean Law. The Vigilance Bureau was ridiculed by the prohibition fanatics, Ministerial Associations, Good Government Clubs, as organized bodies and by preachers individually. Whenever the Superintendent discovered this sort of misrepresentation, he made it his business to call on the President of the Min-

isterial Association or Good Government Club, as the case might be, learn the time of the next regular meeting and get permission to attend. When he went to the meeting, he informed his hearers of the rumors that were rife and of interviews and public stories that seemed to him unjust. He challenged them to show that the Vigilance Bureau was a bluff. In this they were incapable. Then he said to them that if they would take up on their own account the problem of cleaning up the liquor business in their city, they might handle the work themselves. He gave them to understand that they could have at their disposal, the men in our employ or they could furnish their own men, that they were to push the prosecutions as they saw fit, regardless of whom and where it was, and that the Ohio Brewers' Association would foot the expense. The saloon keepers know better than any other class of people where the real trouble is, and in general they are working hard to efface the stigma due to their past methods of doing business. It must be confessed, however, that the saloon keepers are not exclusively to blame. Some of their methods were forced on them years ago by the brewers and distillers and encouraged and protected by corrupt civic officials.

“ As a further step toward working in conjunction with and securing the co-operation of men who are in favor of the liquor traffic when it is conducted along the lines of regulation and decency, but against it if it is not so conducted, we have taken steps in all of the important cities toward the formation of a committee of representative citizens to act as a sort of an advisory board to the Vigilance Bureau.

“Such a committee is generally picked from the Board of Trade or Chamber of Commerce or Good Government Clubs and is composed of men who are not over liberal in their sentiments, not prohibition fanatics, but men who want to see the traffic continue if it is decent and who are against it if conducted in violation of law. These committees vary in size from three to ten, but we find more effective work can be accomplished by a committee of about three. The duties of such a committee are as follows:

“The reports of the Vigilance Bureau are first submitted to this committee in whatever city it may be, they in turn call in the violator, show him the evidence secured against his place and endeavor to satisfactorily regulate it by having him eliminate the features which are in violation of the Dean Law.

"The saloon keeper is given a certain length of time in which to clean up his business. If he avails himself of this opportunity, we are the gainers and no action is necessary. If he fails to take this warning, the committee refers the matter back to the Vigilance Bureau with the request that legal action be taken toward the elimination of the place.

"In this way, we are able satisfactorily to regulate a place without causing the proprietor or the traffic any notoriety whatever, and if we have to resort to a prosecution, the people know that behind the movement is a committee of men who are acting for the welfare of their city. Their local prestige wins friends for us in our endeavor, which makes the prosecution of a persistent violator a comparatively easy task.

"When the public learn of the existence of such a committee, they feel safe in reporting places that may prove to be obnoxious to their neighborhood and are certain that a rigid investigation will be made, and that the trouble will be speedily eliminated.

"Last year I had to call attention to the fact that most of the brewers of Ohio looked upon the work of the Vigilance Bureau with distrust. I am able to say now that most of the brewers and saloon keepers recognize this Bureau and give their aid ungrudgingly. Only those who disgrace a legitimate business by their illegal and illegitimate practices are now opposed to the work.

"Information with evidence to confirm it has been gathered in the cases of many saloons in various parts of the State where the laws are violated. This information will be used when the time comes for granting licenses, and unless there is a marked change from the way in which the objectionable places are conducted at present, the proprietors will be challenged when they seek a renewal, and if in spite of this challenge the license is granted to a persistent violator, it is our intention to prosecute for perjury, and our evidence is strong enough to convict....."

In connection with the above report, the manager of the Ohio Vigilance Bureau submitted a detailed statement covering over five hundred cases that the Bureau had dealt with during the year, which involved gambling, and the removal of slot machines, the sale of liquor to habitual drunkards and to minors, and the harboring of lewd women. The majority of these evils were ad-

justed under the joint pressure of the Bureau and of local authorities; but it was necessary to take over 60 cases before the Courts. The cities that were covered in the report were as follows:

Akron, Alliance, Bainbridge, Barberton, Bucyrus, Canton, Cedar Point, Celina, Chillicothe, Chattanooga, Cincinnati, Cuyahoga Falls, Cleveland, Cleves, Columbus, Crestline, Dayton, Defiance, Delphos, Dennison, Galion, Greenfield, Hamilton, Lancaster, Lima, Massillon, Miamisburg, Piqua, New Washington, Riverside, Sidney, Springfield, Sandusky, Toledo, Youngstown, Wapakoneta.

In several places the City Council passed an ordinance at the suggestion of the Bureau to restrain and suppress disorderly houses, and prevent the sale of intoxicating liquors therein. During the course of its investigations, the Bureau came across a number of cases of druggists who were selling whiskey illegally, and who were identified as active "dry" workers in the County Option campaigns. In one village in Ross County, for example, the local druggist was a strong Anti-Saloon League supporter, and used all his influence in the election to keep the county "dry." The report says "investigation of his record of sales of whiskey disclosed the fact that he was 'dry' not out of principle, but for revenue, as his record of whiskey sales would do credit to any first class café, and that he had practically monopolized the business in his home town. Our men investigated his store, and a case of illegal selling was secured, they buying three pints of whiskey without any prescription, and without any record being made of the sale. They were required to pay about double the customary price." The man was arrested and held for the Grand Jury.

OHIO OFFICIALS ENDORSE THE WORK.

The following letters from officials in Ohio with regard to the work of the Vigilance Bureau will indicate the practical character of its work:—

MAYOR'S OFFICE

Canton, Ohio, January 14, 1910.

Mr. GALE M. HARTLEY,
State Supt. Ohio Brewers' Vigilance Bureau,
Dayton, Ohio.

Dear Sir:

The work in the city of Canton of the Ohio Brewers' Association through their Vigilance Bureau has been productive of great

results, inasmuch as the conditions of the retail liquor traffic in this city have been greatly improved.

The Bureau has always shown a willingness to co-operate with the city administration in any work attempted for the betterment of the local saloon condition.

Very truly yours,
(Signed) A. R. TURNBULL,
Mayor.

Canton, Ohio, January 15, 1910.

Mr. GALE M. HARTLEY, Supt., etc.

My dear Mr. Hartley:

On behalf of the Canton Board of Trade and our good citizens generally, I desire to thank you for the great good you have accomplished in our city. We appreciate your efforts and success the more because of our knowledge of existing conditions, the authorities being in league and in sympathy with the violators of law placed every obstacle possible in your way. It is the hope of the better element of our city that your organization will continue its labors here, until law-abiding citizens are placed in charge of affairs.

Cordially yours,
(Signed) C. A. DOUGHERTY,
Pres., Canton Board of Trade.

Dayton, Ohio, January 10, 1910.

Mr. GALE M. HARTLEY, Supt., etc.

Dear Sir:

As per your request, I am giving you some facts in regard to your assistance to this office.

I am pleased to state that in several cases, dealing with saloon keepers, that at your own solicitation you voluntarily assisted us in bringing these cases to a successful ending, and the saloon keepers were put out of business. From what I can see, I believe that you have made an honest effort to assist this office in taking care of violations of the law among saloon keepers; and I wish to thank you for your past assistance. I only hope that we may have a continuance of the same.

Yours respectfully,
(Signed) C. W. LENZ,
Prosecuting Attorney.

Cleveland, Ohio, January 14, 1910.

MR. GALE M. HARTLEY, Supt., etc.

Dear Sir:

Replying to your favor of recent date in reference to the work of the reformation committee of Cleveland, we will say that our work here has been thoroughly successful and we consider that the conditions in Cleveland today, in regard to the liquor traffic, will compare favorably with any city in the United States. We might say, in justice to the police authorities of our city, that many of the disreputable features that are said to exist in the saloon did not exist here, as our investigation, made through the operators of your bureau, has disclosed the fact that machine gambling and the saloon with assignation house attached have long since been eliminated. We did find some petty gambling, also some resorts that catered to the patronage of lewd women and those consorting with them, but with the earnest co-operation of the brewers, the wholesale liquor dealers and the retailers' organization, together with the police authorities of our city, I think we can safely say that it would be very difficult to find any great number of places in Cuyahoga County that are not complying with the provisions of the Dean Law.

We desire to acknowledge the great assistance that has been furnished this committee by the operators of your bureau, as their reports, regarding the conditions of saloons investigated, have been thorough and accurate. We also desire to extend our sincere thanks to the trade for their efforts in assisting us in this work, for in some two hundred cases which were investigated we have succeeded in remedying the conditions, in all but a very few, through the supplying brewer or wholesaler. The few that could not be reached in this manner were taken up with the authorities and driven out of business. We will be glad to furnish you a detailed report in the near future, and again thanking you for the assistance rendered this committee, we remain,

Respectfully yours,

Reformation Committee,

(Signed)

THOMAS W. ROBERTS

CHAS. W. LAPP

PAUL SCHREINER

Dayton, Ohio, January 15, 1910.

GALE M. HARTLEY, State Supt.,
The Ohio Brewers' Vigilance Bureau,
Dayton, Ohio.

Dear Sir:

I want to thank you for the assistance rendered me by your Bureau during my term as Sheriff of this county, and will say that through your co-operation and assistance I was enabled to put the gambling houses out of business; also saloons that had assignation houses in connection.

Again thanking you for the assistance rendered, and wishing you every success in your efforts for the betterment of the liquor traffic, believe me to be,

(Signed) Sincerely yours,
JOHN F. BOES,
Ex-Sheriff of Montgomery County.

Dayton, Ohio, January 15, 1910.

TO WHOM IT MAY CONCERN:

I have been furnished with information a number of times in regard to the condition and operation of saloons in this city by the Ohio Brewers' Vigilance Committee, represented by Mr. Gale M. Hartley. This information has been of great value to the Police Department in correcting conditions existing in certain saloons, and has assisted materially in cleaning up the operation of the saloon business in this city.

The information which he has furnished to us has always been fair and reliable, and has been of much service and assistance to us.

(Signed) Yours truly,
EDW. E. BURKHART,
Mayor, City of Dayton, Ohio.

Dayton, Ohio, January 17, 1910.

GALE M. HARTLEY, Supt., etc.

Dear Sir:

During my term thus far I have been successful in getting rid of all gambling houses and disorderly places located within my jurisdiction.

In accomplishing this I have been materially assisted by the Ohio Brewers' Vigilance Bureau, which organization has always shown a willingness to co-operate with this office in all matters pertaining to the betterment of the liquor traffic.

This work has resulted in obtaining very good results in this county.

Yours truly,
(Signed) HENRY ESHBAUGH,
Sheriff of Montgomery County.

Canton, Ohio, December 30, 1909.

Mr. G. M. HARTLEY,
Supt., Ohio Brewers' Vigilance Bureau.

Dear Sir:

In regard to the recent cases begun by your Association against violators of the liquor laws in Canton, among which was the Bive-nour case, I want to say to you that the facts found by your operators were all submitted to me before the affidavits were filed, and wherever the facts showed a crime, an affidavit was filed, irrespective of whom the defendant was or what company's liquors he handled, and over fifty affidavits in all were filed against violators in the city of Canton.

I also desire to advise you that these cases have done a great deal of good in this city, in that they showed that your Association was perfectly fair to all parties, prosecuted everyone whom it found violating the law, and indicated to the people of this county that you were doing what you agreed to do prior to the "wet and dry" election, that is,—enforce the law, and this last work has brought the people to look upon your Association with a great deal of favor.

Yours truly,
(Signed) H. C. PONTIUS,
Assistant Prosecuting Att'y.

Chillicothe, Ohio, January 6, 1910.

Mr. GALE M. HARTLEY, State Superintendent, etc.

Dear Sir:

In reply to your inquiry as to local conditions respecting the observance of the laws of the State and the ordinances of the city regulating the liquor traffic and the attitude of the brewers re-

specting the same, I will state that immediately after the Rose county option election, at my request, the local brewers and all breweries maintaining agencies in this city signed an agreement which is in my possession, the provisions of which among other things require their co-operation with the local authorities in the prevention and suppression of violations of the law, and this agreement is being lived up to.

We have a midnight closing ordinance which is strictly observed, likewise the Sunday closing law, and no gambling exists in this city in connection with the retail liquor business or any other business.

Your Bureau has at all times given its assistance in aiding the local authorities to enforce the law, and as your assistance has been of such value in that respect I shall be glad, as you suggest, to make a statement to that effect to anyone.

Yours very truly,

(Signed)

WALLACE D. YAPLE,
Mayor.

Dayton, Ohio, January 21, 1910.

Mr. LOUIS L. WEHNER,
of the Ohio Brewers' Vigilance Bureau.

Dear Sir:

Upon your request, I hereby state that during my term of office as the Mayor of the city of Dayton, Ohio, viz.: from October 24, 1906 to December 31, 1907, the Ohio Brewers' Vigilance Bureau in the city of Dayton, Ohio, and operating therein, assisted materially in improving the condition of things in regard to the saloon traffic in the city.

Among the things to which I refer were the stoppage of "rushing the can" (so called) on Sunday; the prevention of setting up "free lunches" on such day; and the keeping of all saloons that were doing business on such days, quiet and orderly.

Also the preventing of the sale of liquors to minors, and prohibiting children from going into any saloon for the purpose of buying intoxicants and carrying them from the saloon to some other place.

In general, you aided very much in elevating the standard of the saloon business in our city.

(Signed)

CALVIN D. WRIGHT.

Cincinnati, Ohio, January 19, 1910.

Mr. GALE M. HARTLEY, State Supt., etc.

Dear Sir:

I have your letter of the 17th inst., in regard to the work of your Bureau. I am glad to testify that this office has received effective and valuable assistance from your Bureau toward securing evidence against saloon keepers who permit gambling on their premises and harbor disreputable women. Some of your men have testified as witnesses for the State in such cases.

I believe from the activities of your Bureau that your employer, the Ohio Brewers' Association, is sincere in its efforts to cleanse the business of retail liquor selling from the abuses that have attended it in the past.

Very truly yours,

(Signed)

HENRY T. HUNT,
Prosecuting Attorney.

Canton, Ohio, January 25, 1910.

Mr. GALE M. HARTLEY, State Supt., etc.

Dear Sir:

I take this means of letting you know that I believe the work of yourself and subordinates has done much to improve conditions in the city of Canton. I believe that as a result of your work there have been fewer violations of the Sunday laws by saloon keepers in Stark County, and a general raising of the standard of the liquor business.

Very truly yours,

(Signed)

WM. B. QUINN,
Judge.

UNPLEASANT BUT WHOLESOME.

So far the report of the Ohio Vigilance Bureau. Work such as it has done must inevitably arouse a good deal of opposition. In the first place it antagonizes the saloon men, who are admonished, put out of business or subjected to prosecution in the courts. Secondly, it is unwelcome to some local officials who derive an unpleasant notoriety from the ventilation of unwholesome conditions which it is their duty to prevent. These and others not infrequently profit both politically or financially by allowing the saloons and other resorts dispensing liquor a free hand.

Good people have deplored the fact that the work of this Vigilance Bureau has served to bring disreputable places into public notice; but this can hardly be regarded as a valid argument for discontinuing it. Self-evidently, the unsavory facts laid bare have been seized upon by temperance reformers to point the moral that all saloon business is inherently evil; and they are rooted in the belief that efforts to reform the traffic on the part of men financially interested in it cannot be sincere.

Another noteworthy example of clean-up work to which the brewing interests have lent powerful support is going on in the city of New York. Here the movement has especially been directed toward the suppression of the so-called "Raines Law Hotel," which means a liquor selling place that has become a disreputable resort and largely as an outgrowth of the legal provisions requiring saloons to furnish hotel accommodations.

In commenting upon the crusade against establishments of this kind, the *New York Press* of January 30, 1910, says:

"It looks as if the 'Raines Law Hotel' would have to go. It has lasted a good many years, and its name has been a synonym of evil, but the very powers that have been its chief support have abandoned it. The great surety companies will not go on the bond of a black listed 'Raines Law Hotel,'—even exorbitant premiums do not tempt them. The brewers will not sell these disorderly resorts beer."

The credit for keeping alive this movement and for banding together the brewer and the bonding company is in largest measure due to the so-called Committee of Fourteen. It consists of well known reformers and its sole object is the suppression of disreputable resorts. As a result of the campaign in which this committee has been joined by the brewers and bonding companies, the number of "Raines Law Hotels" in Manhattan and the Bronx has been reduced in three years from 1,407 to 690.

It would be an exaggeration to claim that so far as the brewers are concerned this has simply been a campaign of morality. Both brewers and bonding companies have come to realize that it is for their interest to limit the number of saloons in New York and keep the traffic within proper bounds. For both it means less competition and reduced commercial risks. But although it has thus been possible to appeal to pure business motives, there has been a genuine desire on the part of these business organizations to divorce

the traffic from unnecessary evils, and instances of personal sacrifices to attain that end have not been wanting.

In describing the relation between the Committee of Fourteen and the brewers in the work of improving liquor selling conditions, the *New York Press* says:

"Along with this committee is now standing the Brewers' Board of Trade, which controls seven million out of the eight and one-half million barrels of beer that are made yearly in New York. The power of this organization is quite evident. It comprises 74 different concerns....The Committee and these brewers are working along side by side with great efficiency. Whenever a complaint is made at the Committee's headquarters, it investigates it and also takes it up with the brewer concerned. The brewer makes an investigation as well, and if the complaint is well founded there is no mercy shown to the saloon keeper."

The annual report for 1908 by the New York Committee of Fourteen says concerning the participation of the brewers in the warfare against bad resorts:

"The business interest especially responsible for permitting the evil conditions is the brewer, the large majority of saloons in the city being supported to a greater or less extent by the financial backing of the brewer. Fortunately, the leaders in this business acknowledge their responsibility, and are acting thereon. An agreement was signed in May, 1908, by the producers of 95 per cent. of the beer consumed in New York, to act together and with this Committee to correct these evil conditions. Certain brewers have done all that was asked; others have done nothing. The majority have done something but not as much as they ought to have done."

THE WORK IN OTHER STATES.

In a number of other States local or State-wide efforts have been made by organizations of brewers to insure better regulation of the liquor traffic and the elimination of evil resorts, some of which deserve mention. A striking instance of this kind comes from Galveston, where one brewer is credited with doing more toward cleaning up Galveston "in six months than the police force had done in sixteen years. He accomplished it without any raiding or making any fuss. He did it simply by the force of the brew-

er's influence." In Galveston there are two kinds of licenses issued, one permitting the sale of beer only, and the other that of spirituous liquors. The corner groceries holding only a beer license were found also to serve whiskey secretly. The large saloons had both kinds of licenses. The brewer in question served notice on the groceries that unless they obeyed the law their beer licenses would be cancelled and by prosecuting some, he brought the rest under subjection. He next let it be known that no beer would be sold to any unclean resort. Many saloons had gambling rooms as annexes. These he proscribed until they were abolished. Dance halls and other resorts of that kind were also gone after and at least compelled to be much better than they had been.

Among the pioneers in the movement to correct the abuses connected with the retail sale of liquor has been the Brewers' Association of Wisconsin. It has worked quietly and without ostentation. Especially during the last two years has it been active in lending support and suggestions to remedy existing evils in the liquor traffic. About two years ago the Wisconsin and Milwaukee Brewers' Association not only publicly condemned disorderly and disreputable places where liquor is sold, but offered to co-operate with the local authorities in eliminating them. In general, the association had given local authorities great aid in suppressing resorts of evil repute and in prosecuting saloon keepers who disregarded the law prohibiting the sale of liquor to minors and drunkards or permitted disorderly conduct in their places. In the city of Milwaukee the movement has resulted in closing about 100 objectionable liquor places, and in various other parts of the State, work of the same kind has been going on quietly and effectively.

In Chicago, the brewers, with the assistance of the Retail Dealers' Association, have aided in bettering saloon conditions. Slot machines have been generally altogether removed from saloons, and gambling in them has been totally suppressed. When the warning given by the Associations of Retail Dealers and Brewers was not heeded, licenses have been revoked by the local authorities. These associations have given notice that the clean-up movement will continue and that the city authorities will be afforded every possible aid in creating saloon conditions free from objections.

Another place in Illinois in which the brewers have taken the same general stand is the city of Springfield where they have made an effort in co-operation with the authorities to weed out all objectionable men who are engaged in the traffic.

In San Francisco the brewers have combined with the wholesale liquor dealers in organizing for the purpose of putting an end to the objectionable features which in times past have characterized the liquor traffic in this city. The results of their labors have won recognition on the part of the conservative business men, and persons who were formerly hostile are inclined to give the associations credit for good intentions.

In Denver and other Colorado cities an association largely composed of brewers and wholesale liquor dealers have labored with some success to suppress the evils connected with liquor selling. Thus the saloon keepers of Denver have been given to understand that they need not expect any sympathy or assistance if they violate any feature of the license law. In consequence, the manner in which the traffic is conducted has been materially improved.

In Detroit, Michigan, the brewers are co-operating effectively with the police department and have made it their policy to refuse assistance of any nature to saloon keepers who wilfully violate the law. Moreover, they work in conjunction with the police department for the suppression of vice in the saloon and aid in prosecuting anyone who disregards the statutory law.

Beyond activity in bringing to book violators of the liquor laws, trade organizations have sought the aid of more adequate legislation. It has been realized by them that in the end respectable saloon conditions are impossible unless the statutory law furnishes the proper safeguards and restrictions. It is notorious that the saloons are at the worst in States where licenses are a mere form or the authority to issue licenses placed in irresponsible hands. On the other hand, in States with adequate licensing authorities having sufficient power to enforce their mandates, the restrictive features of the law are obeyed. Pennsylvania and Massachusetts furnish striking illustrations in this respect, and their saloon conditions do not demand the vigilance of a committee of fourteen. In other words, no matter how regulations are heaped upon regulations and this and that prohibited—unless the authority from which permission to engage in liquor selling emanates is clean and

strong enough to enforce the mandates of the law, there will always be dealers who take advantage of any immunity from prosecution.

The brewers' organizations have realized this and sought the enactment of better laws in various States, for instance, Wisconsin, Ohio, New York, Michigan, Maryland, Indiana, etc. They have even professed willingness to support the enactment of the severest license laws, knowing that they are essential to the stability and proper conduct of the traffic. But their efforts in this direction are frequently thwarted by the Anti-Saloon League and other uncompromising bodies who are content with nothing short of prohibition. Apparently they fight better license laws on the theory that the more intolerable the saloons grow, the greater the likelihood of securing their abolition. It thus may happen that prohibitionists and the least reputable liquor selling element stand practically united against salutary regulations, and bring about their defeat. It is often too easy to persuade indiscriminating persons that any clean-up movement or effort for better laws originating with the trade cannot have an upright motive. Meanwhile there is no evidence that the vigilance of the different brewers' organizations is being relaxed or that their desire for wholesome license legislation is diminishing. On the other hand, there are signs of a growing realization of the fact that those who have the greatest financial stake in the traffic are the strongest allies in any movement for its effective restriction and regulation.

LIQUOR LEGISLATION OF 1909.

In the following pages some of the more important laws affecting the liquor traffic in different States are summarized:

IDAHO.—The new county local option law is apparently modeled in its main features after the Ohio law. It provides for a local option election in any county upon the petition of a number of its qualified voters equal to forty per cent. of the aggregate vote cast in the county for secretary of State at the last preceding election. When such petition, addressed to the board of county commissioners, has been filed with the county auditor, this board shall, at its next regular meeting order a special election in not less than thirty nor more than sixty days to determine whether the sale or disposal of intoxicating liquors as a beverage shall be prohibited. Twenty days notice must be given of the election which is to be held in the same manner as other elections.

If a majority of the votes cast be in favor of the proposition submitted, it shall be unlawful for the board of county commissioners to grant to any person, firm or corporation or club a license to sell or dispose of intoxicating, spirituous, malt or fermented liquors until the vote is rescinded at a subsequent election which may not be held before the expiration of two years.

If a majority of the votes cast be in favor of prohibiting the sale of liquor as a beverage, then after ninety days from the election, all licenses granted in the county after the passage of this act shall become void, and the licensee shall be refunded the amount of license fees proportionate with the unexpired time of the license. No license issued prior to the passage of this act shall be terminated or affected by any election held under it.

If a majority be against the proposition submitted, it shall not affect the power conferred upon the boards of county commissioners to refuse a license to sell liquor; nor shall it affect any ordinance which may have been in force in any city, town or village.

The sale in prohibition districts of pure alcohol for medicinal, mechanical, manufacturing or scientific purposes and of wines for

sacramental purposes is permitted, but only upon a written application. If liquor is required for medicinal use it may only be sold upon the written prescription of a licensed physician who makes the practice of medicine his usual calling. Such prescription may be used only once and must be marked "cancelled" by the person selling. A full record must be kept of sales and filed monthly with the county auditor, together with all original prescriptions of physicians and applications of others which must be kept in the possession of the county auditor for two years. Failure properly to account for sales is a misdemeanor. A physician issuing a prescription contrary to law is guilty of a misdemeanor and, upon a second conviction shall lose his right to practice in the State.

The provisions of the act extend to all sales or other dispositions, except sales made at wholesale by those who manufacture liquor from raw materials, provided the products are delivered under sale outside of prohibition districts, and sales by registered pharmacists or other persons legally authorized to dispose of intoxicating liquors.

Under penalty of a fine of \$200 to \$500 or imprisonment for 30 days to six months, it is forbidden to solicit or receive any order for liquors in any quantity to be shipped into prohibition districts, except that orders for liquor may be solicited or received from pharmacists or other persons who are legally permitted to "handle, sell or dispose of intoxicating liquors within such prohibition districts. Among other prohibitions is that of acting "as agent or assisting friend of the seller in procuring or affecting the unlawful sale or purchase" of any liquor.

Shipment, transportation or delivery of liquor into "dry." counties are prohibited "except as may be authorized by this act or the interstate commerce law."

The prosecuting attorney of each county containing a prohibition district must file with the county auditor a list, in January and July of each year, of all persons, associations, etc., who have paid a United States internal revenue tax to sell liquor during the preceding 12 months, together with their location.

There are the usual provisions for search and seizure of liquor. The general penalty for violating the act is a fine of \$25 to \$500 or imprisonment from 10 days to six months, or both.

IOWA.—The so-called "Mulct Law," under which the liquor traffic of this State is carried on, notwithstanding the constitutional

prohibition of sale and manufacture of liquors, provides that permits to sell at retail may be granted on application signed by a majority of the legal voters of the municipality or county; but that in cities of between 2,500 and 5,000 inhabitants, the consent of 80 per cent. of the voters must be obtained.

This law has been amplified by an act which provides as follows:

No city or town council shall, by resolution, grant consent to sell liquors at retail to a greater number than one to each 1,000 of population. The town council of 1,000 population or less may, however, by resolution, grant consent to one person to sell liquor at retail.

It is not mandatory for city or town councils in places where a greater number of persons now "hold resolutions of consent to sell" provided above, to withdraw such resolutions in sufficient number to reduce it to one for each 1,000 of population. In fact, such resolutions may be renewed unless they become inoperative by violation of the liquor laws on the part of person holding such consent, or by reason of a permanent injunction against such person for a violation of the law, or civil or criminal action brought for violation.

No person who shall hereafter be convicted of violating the liquor law or shall be permanently enjoined by any court of the State for such violation shall be permitted to sell liquor in this State within five years.

MICHIGAN.—The so-called Warner-Crampton law became effective in September, 1909. It follows in outline the former general local option law, but contains some modifications and additions of importance. The amounts to be paid for liquor privileges and the classifications have been retained practically the same. These amounts, however, are now designated as license fees, while in the old law they were merely called taxes. On the whole, the new law is much less a simple tax law than the old one was.

The manufacture of denatured alcohol is not subject to any license fee. Non-residents of the State who wish to engage in liquor selling at wholesale, through agents or solicitors, are obliged to pay the same license fees as resident persons and corporations, the fees being turned into the State treasury. A bond is required of such non-residents.

The persons intending to engage in any part of the business of liquor selling must file with the clerk (formerly the county treasurer) of the place in which it is proposed to carry on such business, a sworn application for a license. The application must, among other things, state whether or not the person in question is a citizen of the United States and of the State of Michigan, and whether, since the taking effect of this act, he has been convicted of any violation of the liquor laws of Michigan or any other State, or of any other laws of the State, and the time, place and number of such convictions, and contain an agreement that in the event of the issuance of a license upon application it shall be revocable for cause. Any person making a false affidavit in any particular shall be deemed guilty of perjury.

It is the duty of each township board or village or city council to pass upon all applications for licenses in their localities, and to determine the sufficiency of the bonds given. Such boards or councils are expressly prohibited from approving the application for a license of any woman or anyone who is not a citizen of this State and of the United States, or of any person who has served time in any State prison or penitentiary, or who subsequent to taking effect of this act has been twice convicted for any violation of the liquor laws of Michigan or of any other State. Subject to the restrictions of this act, the board or council "shall approve applications for licenses." Every license issued shall be upon the express condition that in the event of the licensee being convicted two times in the court of record for violating the provisions of the act, such license shall be revoked, and the licensee shall be debarred from continuing in the retail liquor business.

Formerly there was no limitation in regard to the number of licenses that might be issued, the matter being entirely in the hands of the local boards. Under the Warner-Crampton law, however, it is provided that henceforth the local board may by ordinance limit the number of licenses; but that the number shall in no case exceed one to every 500 inhabitants, according to the last United States census. If the applications for licenses exceed the maximum number permitted by the law, no further applications will be considered. This limitation is of course not retroactive.

In regard to hours of business it is provided that retail places may be open from 6 A.M. to 11 o'clock P.M. on any week-day,

except on election days and holidays. But, in cities of 40,000 population and over, the council may by ordinance extend the closing hour to 12 o'clock midnight.

No license may be issued to establish a new bar or saloon having its front entrance within 400 feet from the front entrance of a church or public school house, or in any residence district unless the consent of all the property owners within 300 feet of the proposed site for the selling is obtained. An attempt to establish a new bar within the prohibited distances of churches or school-houses or in any residence district unless the consent mentioned has been obtained, shall be held to be a violation of this act.

No sign of any kind mentioning or advertising any of the liquors named in the act shall be affixed to the outside of the part of any building used for retail selling.

The Warner-Crampton law has been supplemented by two acts, one, a so-called "Mackay Free Lunch Act" which prohibits giving away or furnishing free of charge in a retail saloon of any food except crackers and pretzels, under fine of from \$10 to \$100, or imprisonment from 10 to 90 days, or both fine and imprisonment.

The other is a so-called "Dickinson Search and Seizure Act," a very drastic measure intended chiefly to make the enforcement of local prohibition possible. The general penalty imposed for selling, keeping for sale, giving away any intoxicating liquors, or keeping any place where such liquors are manufactured, sold, stored for sale, given away, etc., in any county having adopted local prohibition, is a fine of not less than \$50 or more than \$200, together with costs of prosecution *and* imprisonment in the county jail for not less than 50 days or more than two months, in the discretion of the court. A second offence increases the fine to not less than \$200 or more than \$500, and imprisonment (which must be in the State House of Correction or the Reformatory at Ionia), for a term of not less than six months nor more than two years, in the discretion of the court.

Upon the sworn complaint of any person that liquor is being sold at any place contrary to the law, or stored in any place for purpose of being sold or given away, the magistrate must issue a search warrant. No warrant may be issued, however, to search a private residence unless some part of it is used as a store, hotel, or boarding house. The person making the application for the warrant may personally accompany the officer serving the warrant.

All shipments of any liquors from any point within the State to any point within any county under local prohibition to be paid for on delivery (C. O. D. shipments), are held to be sales made at the place of destination. The books and way-bills used by common carriers or anyone else in shipping, transporting or delivering liquors must be open for inspection at all times during business hours by any public official whose duty it is to enforce the law. Neglect on the part of carriers to comply with this provision subjects them to a fine of not less than \$50 or more than \$500, or imprisonment of from 10 days to six months, or both.

The keeping or having in any house or building kept by any person, corporation, club, association or society, except in private residence kept as such, any intoxicating liquors for the purpose of selling or giving them away to those frequenting the place, or to others, is held to be the keeping of a place where intoxicating liquors are sold, furnished, or given away. The proof of consumption or intended consumption of such liquors by any person visiting any of the places described shall be prima facie evidence of sale or giving away of liquor in violation of the law.

Whenever complaint is made that any person is found intoxicated, has been intoxicated, in any hotel, store, public building, street, or other public place, such person must be subpoenaed to appear before a magistrate and to state under oath when, where and from whom he procured or received the liquor which caused his intoxication. Failure to answer shall be treated as contempt of court. A person who testifies in this manner may not be prosecuted for the intoxication concerning which testimony is given.

MISSOURI.—An act in regard to the licensing of manufacturers, rectifiers, wholesale and retail dealers, was approved June 8, 1909. The application for license must be made to the county court, or the excise commissioner of the city in which the applicant proposes to do business. The nature of the business must be described as well as the place where it is to be conducted. Accompanying the application must be a sworn statement of the kind of liquors and the amount manufactured, rectified, or sold by the applicant within one year next preceding the date of application.

The license taxes levied for State purposes are:

For the sale by a merchant in quantity of less than 5,000 gallons per year, \$100; in any quantity of more than 5,000 gallons

and less than 10,000 gallons per year, \$150, and \$1 for each 1,000 gallons more than 10,000. But the maximum tax may not in any case exceed the sum of \$1,000. For the sale of malt or fermented liquors at wholesale, except at the brewery, \$100. For the manufacture of malt or fermented liquors, \$150 for the first 50,000 barrels or less, and \$1 for each additional 1,000 barrels, but the maximum tax upon a license for the manufacture of malt and fermented liquors must not exceed \$1,000 per year. For blending or rectifying spirituous liquors there is a fee of \$250, with \$5 for each 1,000 gallons more than 500 gallons of the total product of the applicant for one year in excess of 50,000 gallons; but the maximum tax must not in any case exceed \$1,000. For the manufacture of spirituous liquors \$250, but if the annual product exceed 150 gallons, then the tax shall be \$500.

Any person who makes a false statement in applying for a license shall be deemed guilty of a felony.

Another act passed in 1909 provides that saloons must be closed on any county, city or town or municipal election day.

A third act prohibits the issuing by a county court of a license to anyone who has been convicted of a violation of the law until the expiration of two years after such conviction.

NEBRASKA.—An act of April 6, 1909, prohibits the sale of liquors of all kinds on Sundays and election days at any time, and upon a week-day after the hour of eight o'clock P.M. and before the hour of seven o'clock A.M., under penalty of a fine of \$100 and forfeiture of the license.

Another law of the same year prohibits the sale or the giving away of any liquor to any insane person, or idiot, or habitual drunkard, or person who has been convicted as a drunk fiend, under the penalty for each offence of a fine of \$100. The selling or giving away of liquors to Indians is deemed a felony upon conviction of which a fine of not less than \$200 or more than \$500 shall be imposed, or imprisonment in the penitentiary for not less than two or more than five years.

A third act prohibits the drinking of intoxicating liquors of any kind upon any passenger train or in any coach in the service of passenger transportation within the State. Any person found in an intoxicated condition riding upon railroad trains, or found drinking intoxicating liquors as a beverage, after being ordered

to desist, shall be deemed guilty of a misdemeanor and fined a sum not exceeding \$10 and imprisonment for not more than 10 days, or both. It is made the duty of the State railroad commission to see that the provisions of this act are enforced, and a copy of it must be conspicuously posted in every passenger coach, sleeping or dining car used within the State.

OHIO.—The tax law of this State has been amended in some important respects. The statement to be returned by every assessor to the county auditor in regard to every place where the business of liquor selling is conducted must, in addition to the name of the person or corporation engaged in this business and a description of the premises, etc., contain answers to the following questions:

1. Are you (or if a firm is any member of your firm) an alien or unnaturalized resident of the United States?
2. Have you, or any member of your firm ever been convicted of a felony?
3. Have you, within the past twelve months knowingly permitted gambling to be carried on in connection with your place of business?
4. Have intoxicating liquors been sold at your place of business to minors, except upon the written order of their parents, guardians, or family physicians, or to persons intoxicated or in the habit of getting intoxicated, within the past twelve months, with your knowledge?
5. Have you knowingly permitted improper females to visit your place of business within the last twelve months?

If any of the questions be answered in the affirmative or if a refusal is made to answer them, then if such person shall engage in selling liquors as a beverage, he shall be guilty of a misdemeanor, under a penalty of from \$200 to \$1,000, and imprisonment of not less than six months or more than two years, or both. For making false answers to the questions enumerated above, the penalty is not less than \$100 or more than \$500, or imprisonment of not less than three months or more than two years, or both.

MINNESOTA.—An act to limit the granting of licenses for the sale of intoxicating liquors was approved March 16, 1909. It provides as follows:

The number of licenses for the sale of intoxicating liquors which may be granted by any county or municipality shall be limited to one for each 500 of population or fraction thereof in any township, town, village or city, the population to be determined by the last preceding State or national census. But in places where a greater number of licenses may have been granted at the time of the passage of the act than permissible under the foregoing limitation, the local authorities may in their discretion, grant licenses equal in number to those granted at the time of the passage of this act, but no additional licenses may be granted until the increase in population brings the city, village, or town within the foregoing limitation. Thereupon additional licenses may be granted from time to time until their total number shall equal one for each 500 of population.

Whenever a county or municipality in which no licenses exist shall hereafter grant licenses, their number must not exceed one to 500 of population until an increase in population makes permissible additional licenses. It is provided, however, that the local authorities may grant one license in any township, town or municipality having less than 500 population.

If a town or municipality in which licenses have been granted at the time of the passage of the act, at any subsequent period votes no-license, under the provisions of the local option law or municipal charter, and then at a later period votes for license, the number of licenses which may then and thereafter be granted must be limited to one for each 500 population, except that one license may be granted in any town or municipality having less than 500 population.

Another law passed in the same year provides for the licensing of the sale of intoxicating liquors on railway trains, and establishing a fee for the same.

Each and every car used as a dining or buffet car in which intoxicating liquors are sold must obtain a license from the Secretary of State on the payment of an annual fee of \$50. The license must show the name and number of the car and the company operating it, and must be posted in a conspicuous place in the car. The license legalizes only the sale of liquor at retail in cars forming a

part of a train on its regular runs and to bona fide passengers on such trains.

The general liquor law has been amended with reference to the form of application for license, and restrictions as to persons who may be granted the privileges. The new features are summarized below:

A written application must be filed with the clerk of the municipality, or, if the license is desired outside the municipality, with the county auditor. It must give particulars concerning the place where the business is to be conducted and state whether the applicant has previously been a licensee in Minnesota or any other State. A deposit of \$10 is required. The officer with whom the application is filed must publish a two weeks' notice of the application, specifying the applicant and describing the place for which the license is sought and the time and place for the hearing.

No license may be granted to any person of known bad character, nor to a keeper of a disorderly house, or gambling place, nor to anyone who within one year preceding the filing of his application has knowingly violated any law relating to the sale of liquor or any conditions of his bond. It is further required that applicants must be residents of the State and of good moral character. Before the license can be issued, the licensing body must investigate the applicant, his character and his record as licensee if any. They may continue the hearing upon the application from time to time.

It is made the "special and positive duty" of every licensing body to make a full investigation of all applications; and any officer who violates any of the provisions of this act or refuses to perform the duties prescribed shall be guilty of a misdemeanor and forfeit his office. Any applicant who makes a false statement to the licensing body shall be guilty of a misdemeanor.

NORTH DAKOTA.—At its last session the Legislature of this State passed an Act which imposes certain duties upon the State Agricultural Experiment Station which apparently has the double purpose of securing better enforcement of the prohibition law and of safeguarding the purity of intoxicating liquors consumed. The Experiment Station is authorized to inspect samples of the various beverages defined in the act, which are on sale or shipped into the State, at such times and places and to such an extent as it may determine. Agents may be appointed for the enforcement

of the act, and they shall have access to all places of business, factories, farms, buildings, carriages, cars, etc., used in the sale or transportation of liquors. They may open and take samples from any package or vessel containing such articles; and all clerks, bookkeepers, express agents, common carriers, etc., are under obligation to render them every assistance in discovering any prohibited article.

All fermented and spirituous liquors, malt liquors, wines, ciders, or so-called fruit-ades, imitation ciders and beverages of any kind sold or used as a beverage or substitutes for intoxicating liquors, also all bitters and other tonic, and other alcoholic beverages for the sale of which a license is required under the rules of the United States Internal Revenue Department, come under the jurisdiction of the State Experiment Station.

The act provides for an elaborate definition of the various kinds of beverages. Every package containing any of the liquors in question must bear a label showing quantity, the alcoholic strength, and the name and address of the manufacturer.

It is made unlawful to sell, manufacture, or ship into the State any so-called compound or imitation whiskey, brandy, rum, wine, or any other imitation spirituous liquor, under a penalty of from \$250 to \$1,000 for each offence, or imprisonment for from six months to one year. Any person who sells, or has in his possession for sale, any of the beverages defined in the act without having first secured a license for the sale of the particular product, shall on conviction be fined not less than \$1,000 or imprisonment for not less than six months, or both.

Manufacturers, importers, and persons selling any of the liquors specified, to be used as a beverage or medicine, must file with the Experiment Station a certified copy stating the name of each and every brand of liquor or beverage, and must deposit a pint sample of such product. The fees charged are: For one brand of whiskey, rum or brandy, \$150; for each additional brand, \$75; for each brand of malted liquor, \$10; for each brand or class of wine, \$25; for each brand or class of artificial "ades" and of other beverages, \$50; for each brand of pops, \$10. Each manufacturer, importer, or jobber, or person who has complied with the act and paid the fees, shall receive a certificate from the director of the Experiment Station. The money received for fees is turned over to the State Treasury and may be used to meet the expenses of the enforcement of the act.

When the Experiment Station finds that adulterated, misbranded, insufficiently labelled or imitation beverages have been on sale, it shall transmit a statement of the fact to the Attorney-General and to the State's attorney for the county, who shall proceed to prosecute the violators of the act.

The Experiment Station is required to make an annual report of its work, and is authorized to publish and distribute bulletins giving the result of its analysis and investigations, as well as the names and addresses of manufacturers, jobbers and retailers who are consigned.

TEXAS.—The new liquor legislation of this State is voluminous. Several acts were passed with the view of strengthening the local option laws, and drastic penalties for violations have been provided. Thus, to sell liquor in any place under local prohibition or to give away liquor in such a place for the purpose of evading the law is made punishable by confinement in the penitentiary for not less than one or more than three years. Proof that there is posted in the place where intoxicating liquor is sold or given away, a United States Internal Revenue liquor or malt license is prima facie evidence of violation. New provisions are also made in regard to the search for liquor in prohibition territory.

It is further enacted that any person who engages in or pursues the occupation of selling liquor in local prohibition territory shall be punished by confinement in the penitentiary for not less than two or more than five years. In order to prove that the person accused is engaged in or pursues the selling of liquor contrary to the law, it must be shown that at least two sales of intoxicating liquor were made within three years next preceding the filing of the indictment.

An annual State occupation tax of \$4,000 has been imposed on the business of selling or offering for sale of liquor by soliciting orders in any local prohibition territory. In addition each incorporated city or town in such prohibition territory may levy an annual tax not exceeding \$2,000. There is also levied an annual State tax of \$2,000 on all persons who keep or operate what is commonly known as a "cold storage" or any place where intoxicating or non-intoxicating liquors are kept on deposit for others, or where such liquors are kept for others under any kind of bailment. The local community in prohibition territory may in addition levy an annual tax of not more than \$1,000 upon any such place.

An annual State tax of \$2,000 is imposed upon all firms or persons selling non-intoxicating malt liquors, except those constituting proprietary remedies when sold upon the prescription of a regular practicing physician. In addition to the State tax, counties, incorporated cities and towns in which such malt liquors are sold may each levy an annual tax not exceeding \$1,000.

The General Liquor Law in the State of Texas has been extensively amended. A summary of the law is as follows:

The retailers and wholesalers of spirituous and malt liquors are subject to a State tax of \$375; retailers and wholesalers of malt liquors only, to a State tax of \$62.50. Druggists are not exempt from taxes when selling any of the liquors mentioned on the prescription of a physician, but may not be taxed for the sale of tinctures or drug compounds in which such liquors are used. In addition to the State tax, the commissioners' courts of the several counties shall collect a tax equal to one-half of the State tax, and where liquor is sold in an incorporated city or town, the authorities of such a place have the power to collect a tax equal to that levied by the commissioners' court of the county. If a special charter gives any city the right to refuse a license for the sale of intoxicating liquors, then no license issued on behalf of the city or county shall become operative until the license has been issued by the city. Wine growers are permitted to sell their own production without a license, provided it is not consumed on the premises, or sold to a minor without permission of parents or guardians, or to any habitual drunkard.

A person wishing to obtain a retail liquor dealer's license or a retail malt dealer's license, must before filing a petition with the county judge make an application under oath to the Comptroller of Public Accounts for a permit to apply for a license. Such application must specify the place in which the business is to be carried on; and that subsequent to the passage of this act he has not violated the regulations in regard to closing hours, and sales to minors or habitual drunkards, or permitted gambling in connection with the sale of liquor, or knowingly sold any impure liquor. The applicant must further bind himself not to violate the regulations governing the sale of liquor in any respect. Finally, the applicant must agree that in case of any violation of any of the promises made, or the statutory provisions, that either the county judge or the Comptroller of Public Accounts may revoke the State and

county license, and that all money paid for the license shall be forfeited to the State, county or city to which it was paid. In case of such violation the applicant binds himself to cease business, and not engage in it again directly, or indirectly within five years, unless the order of revocation is cancelled by the Comptroller. The Comptroller, if satisfied that the applicant is entitled to the privilege of seeking a license, shall issue a permit to be accompanied by a certified copy of the application, but no petition for license shall be entertained by the county judge until said certified copy has been filed with him by the applicant.

If the Comptroller of Public Accounts is informed that a licensed liquor dealer has violated any of the conditions stated in the application filed with him, he shall make an inquiry in regard to such violations, and may call to his aid the State Revenue Agent. Neither the Comptroller nor the State Revenue Agent shall disclose the name of any person who shall become an informer, or who shall aid in securing the names of witnesses for evidence in regard to violations. When the Comptroller has secured witnesses for violations, he may notify the county judge or issue a commission addressed to an officer to be selected by him, who is authorized to take depositions in the county in which the violation occurred, and direct him to take depositions of witnesses named and of other persons, and make returns to the Comptroller. If the Comptroller notify the county judge of violations, the latter must at once institute proceedings in his court against the licensees, and provided he does so within ten days, the Comptroller shall not proceed any further. But if the county judge fail to institute proceedings, or if the Comptroller elects to do so without notifying the county judge, then he shall proceed as the act provides.

The act prescribes very minutely the manner of taking depositions; how the witnesses are to be interrogated; and how the information is to be transmitted. The person taking the depositions shall notify the county attorney and request his aid. If the county attorney fails to appear and conduct the examination of witnesses, the officer taking depositions may appoint some attorney of the county to act. If the Comptroller when he receives a deposition determines that the evidence shows a violation of the conditions of the license to have been committed (the different kinds of violation are again specifically enumerated), then he shall withdraw the license, and issue a certificate in triplicate making known such

revocation, one copy of which shall be filed in his office, one transmitted to the county judge of the county in question, and the last copy to be sent by mail to the person whose license has been withdrawn.

If the person finds himself aggrieved by the action of the Comptroller, he may bring suit in the district court of the county of his residence against the Comptroller to re-instate his license. Meanwhile, the business conducted under the license must be suspended during the pendency of the suit and may not be re-opened unless the order of the Comptroller is set aside by final judgment of the proper court, in which case the licensee has the right to continue his business without paying any additional tax for a period of time equal to the time that his right to do business was suspended. For attending, taking of depositions, and interrogating witnesses the county attorney or his substitute shall receive \$5 per day.

The Comptroller shall not issue any permits to any person or firm for any city or town or justice precinct in excess of the number of permits actually existing on the 20th of February, 1909, unless such number of permits is less than one for every 500 inhabitants, in which case he may issue permits not exceeding one for every 500 inhabitants of such city or town. It shall not be permissible to increase the number of permits until the number of inhabitants has increased to the extent that the permits issued on the date mentioned is less than one for each 500 inhabitants. These provisions do not apply to hotels which may hereafter be established when located in the business section of a city or town having a population of 20,000. In granting permits, the Comptroller shall give preference to applicants who apply for a permit to do business at the locations where permits had heretofore been issued. It is further provided that at least one permit may be issued in any city, town, or justice precinct where local option is not in force.

The petition to be filed with the judge of the county court must specify that the applicant is a law-abiding male citizen more than 21 years of age; that he has been a resident of the county for two years; that his license as a retail dealer has not been revoked within five years; where the place of business is to be; and if it is in any block or square where there are more residences than there are business houses, or in any block where there is a church or school, the petition must be accompanied by the written consent of the householders of such block or square who have resided there

for at least six months preceding the application, and of residents there for at least six months preceding the application, and of residents within 300 feet of the place of business. Within not less than ten days or more than twenty days after the filing of the petition the county judge must set a time for a hearing upon it. If after such hearing the facts stated in the petition are found to be true, and other conditions being fulfilled, he should grant a license. Written notices of the filing of petitions must be posted on the courthouse door. Any resident tax-paying citizen residing or owning property in the block or square where the business is to be conducted or residing within 300 feet of the proposed place in the county or district, shall have the right to contest the facts stated in the petition.

In no case may a license be granted in any village, town or city where the proposed place of business is within 300 feet of a school, church or other charitable or educational institution, provided it is not within a business block or within 300 feet thereof as described in the preceding paragraph.

If the license is granted, the clerk of the court shall furnish the applicant with a certified copy of the findings of the judge, whereupon the license tax is paid and the receipt given to the applicant by the county tax collector. Upon the presentation of this receipt to the county clerk and upon an examination of the bond provided for as mentioned below, the county clerk shall issue a license.

Every person engaged in the retail sale of liquor must give a bond in the sum of \$5,000 for the faithful observance of the conditions of his license, except those who are exclusively retail dealers in malt liquors who are required to give a bond only in the sum of \$1,000. Two sureties are required.

Any person who is aggrieved by the violations of the conditions of the bond is entitled to recover the sum of \$500 as liquidated damages for each infraction of the bond. In addition to civil proceedings for individual injuries any person owning real property in the county may institute proceedings for other violations of the conditions of the bond "for the use and benefit of the county." When any recovery is made for the use and benefit of the county upon any bond, the license of such person or firm shall be forfeited and the court shall enter judgment to that effect. But the unearned portion of the corporation tax paid shall not be refunded.

There are minute specifications in regard to the conduct of the business and very numerous prohibitions. Thus, it is prohibited to have any music, exhibition of contest, billiard table, gaming table, etc., in the place of business. The employment of any female is forbidden. No liquor may be sold or offered for sale where people have assembled for religious worship or for educational or literary purposes, or on election days, under penalty of a fine of from \$50 to \$200.

A penalty for selling spirituous liquors under a retail malt dealer's license is a fine of not less than \$100 or more than \$300, and imprisonment for not less than 30 days or more than six months, together with forfeiture of the license. No retail license may be issued to any person who has had his license revoked within five years before the filing of his application, or who has had in his employ in his business of retail liquor dealer any person whose license has been revoked or forfeited within five years.

It is required that judges of the district court give this law in special charge to each grand jury.

There are fees provided for the county clerk, county judge and other officers in liquor cases.

Upon the written complaint of five taxpayers that a place where the selling of intoxicating liquors is carried on, is conducted in a disorderly manner, the prosecuting attorney of any county, or the solicitor of any municipal corporation shall institute proceedings in the court of common pleas against such place for its abatement as a public nuisance. The trial may be by jury if the defendant so demands. Upon conviction, a penalty of not less than \$200 or more than \$1,000 may be imposed, or imprisonment of not less than six months or more than two years. The taxpayers who make complaint must be qualified voters of the municipal corporation in case the place complained of is situated in a municipality, and must have resided for twelve months prior to their complaint within one thousand feet of the place complained of. In case a place in question is situated outside of the municipal corporation, then the complaining taxpayers must within twelve months before the complaint have resided within the municipal corporation and within one-half mile of the place complained of.

It is prohibited to exhibit in any place in connection with the place where intoxicating liquors are sold as a beverage any improper pictures under a fine of \$25 to \$100, or imprisonment of not more than 30 days.

Another act relates to the appointment of secret service officers in prohibition territory. The prosecuting attorney in any county under local prohibition may appoint a secret service officer to detect violations of the law. Such appointment shall be made for any term the prosecuting attorney may deem advisable, and subject to termination by him at any time. A secret service officer thus appointed may not receive for any one month pay exceeding \$125, to be paid out of the county fund. In case of failure of the prosecuting attorney to appoint such secret service officer within three months after the passage of the act, then the probate judge of the county may make such appointment.

WASHINGTON.—A new local option law was approved on March 12, 1909. It is especially interesting because it provides for units of territory in local option elections which are at variance with those established by recent legislation in other States. A summary of the law follows:

For the purpose of an election upon the question of whether the sale of intoxicating liquors shall be permitted, there shall be the following units of territory: Each city of the first, second, third, or fourth class; each unclassified city having a population of more than 1,000; each county not containing any city of the first, second, third, or fourth class, nor any unclassified city having a population of more than 1,000; and that portion, considered as a whole, of each county containing any such city, cities or fourth class towns outside of its or their boundary lines. Each subdivision of territory as above shall be a unit to itself and may vote as such upon the question of the sale of intoxicating liquors within its boundaries.

When a special election has been held upon the conditions described below, the question of forbidding the sale of intoxicating liquors may not be again submitted at a special election except on the day of a general county election. In the event that a special election is held in any unit, no other election may be held prior to the general county election of 1910, and thereafter at such general elections biennially.

Within these units special elections may be held upon filing with the clerk of any city or town unit, or the county auditor of any county unit, a petition by qualified electors equal in number to at least 30 per cent. of the electors voting at the last general election within such unit. The petition shall designate the unit

in which the election is desired to be held, the date of such election, and the question that it is desired to submit. The petition must be filed not less than 60 days or more than 90 days prior to the date on which the election is to be held. The signatures of the petition are only valid when persons signing it state their post-office address, the precinct in which they reside, or, if a resident of the city, the street and house number. The petition is deemed a public document and is subject to the inspection of the public.

The official with whom the petition is filed must give notice of the election by publication in the newspapers to be inserted in each issue until the date of the election. In case the publication is in a daily paper it must be inserted not less than fifteen times. The general election law governs the conduct of special elections held under this act. The opposing sides to the election may each name two persons, one to act as challenger, and one as watcher, at each precinct in the local option unit.

If the canvass of the vote shows that the majority of the qualified electors voted in favor of the sale of intoxicating liquors within the unit in which the election was held, such sale may be continued under license as heretofore, if it previously was licensed and sold; provided that no license for such sale shall be granted to any person who is not of good moral character and is not a citizen of the United States. If the sale of liquor was not previously licensed, it shall be within the power of the city or town council, or the board of county commissioners, as the case may be, to issue licenses, but such licenses shall not be granted to be enforced earlier than January 1, following the vote of the general county election. If the majority vote was adverse to the sale of liquor, then 90 days after the election, in the case of a special election, and on the first of January following any general county election at which a vote has been taken under this act, no intoxicating liquor may be sold within that unit, with the exceptions to be noted hereafter, until permission to do so is granted at a subsequent election.

When it has been decided either at a special election or at a general county election that liquor may not be sold, it becomes unlawful, not only to sell but to give away or in any manner dispose of intoxicating liquors; except that a person in his private dwelling may give intoxicating liquors to his guests. Intoxicating liquors are defined to include whiskey, brandy, rum, wine, ale,

beer, or any spirituous, vinous, fermented, malt, or any other liquor containing intoxicating properties, whether medicated or not, and which is capable of being used as a beverage, except preparations compounded by a registered pharmacist, the sale of which would not subject him to the payment of a special liquor tax required by the laws of the United States.

Within any unit which has voted against licensing the sale of liquors, every retail liquor dealer except druggists must within 10 days after the result of the election becomes operative remove all intoxicating liquors from his place of business. Failure to do so shall be *prima facie* evidence that liquor is kept for the purpose of being sold or disposed of in violation of this act.

The general penalty for violating prohibition is a fine of not less than \$20 or more than \$200, or imprisonment in the county jail for not less than 10 days or more than 30 days, or both. Upon a subsequent conviction the maximum penalty may be increased to a fine of \$500, *and* imprisonment for not less than 10 nor more than 90 days. Upon a third conviction a maximum fine of \$1,000 may be imposed *and* imprisonment for not less than three months or more than one year.

The various prohibitions against disposing of intoxicating liquors in any manner are very minute. All places where the law is violated are declared common nuisances; and the owner or other person occupying premises must give bond in \$1,000 to insure future compliance with the law and the payment of any fines or costs assessed against him for any further violation.

The county commissioners of any county may use any part of the penalty collected for the violation of this act for the purpose of employing persons to secure evidence for the enforcement of the law. The possession of an internal revenue stamp tax issued to any person as a retail dealer, in a local prohibition unit, is held to be *prima facie* evidence of the sale of liquor. The possession of such stamp, or copies of the records of the United States Internal Revenue Office showing that a special tax has been paid shall be held to be competent and *prima facie* evidence that the person named in the records or on the stamp has paid the special liquor tax for the time stated therein.

It is to be noted that the section in regard to the possession of special tax stamps does not apply to wholesalers, manufacturers, or druggists.

It is further to be noted that the local option act does not prohibit the manufacture of intoxicating liquor from the raw material in any no-license unit, nor the delivery of the same.

There are elaborate provisions to prevent the illegal transportation of liquor into local prohibition territory, the penalty being a fine of not less than \$50 or more than \$500. Upon a subsequent conviction, in addition to the fine, imprisonment follows in the county jail for not less than 30 days or more than six months. It is provided, however, that an individual may bring into such territory as personal baggage and for his private use, intoxicating liquor in quantity not exceeding one gallon of spirituous liquor or one case of malt liquor. It is further provided that public carriers may deliver such goods in unbroken packages to physicians and druggists, as well as wine in unbroken packages consigned to churches for sacramental purposes. Furthermore, manufacturers or wholesalers may deliver intoxicating liquors at residences which are not places of business or public resorts. Shipments of commercially pure alcohol for mechanical or chemical purpose are exempted from these restrictions. To carry into or deliver in prohibition territory any package of liquor in any other manner is a violation of law, and such delivery of any such package shall constitute a separate offence. It is expressly provided that no regulation in regard to the shipment of liquor shall interfere with any provisions of the United States in regard to interstate commerce.

Very elaborate regulations are established for the sale of liquor by druggists. As usual they are limited to sale upon prescription for medical purposes. Full records must be kept of each sale showing the date, name of purchaser, his residence, kind, quantity, and price of liquor sold, and the purpose for which it is bought. When sold for medicinal purposes the name of the physician issuing the prescription must be given. The person making the purchase must sign his name to the records. Each prescription must be cancelled and kept on file. No prescription can be filled the second time. The book containing the record of sales and prescriptions must be open for inspection by any prosecuting attorney of the county, judge, or justice of the peace, or sheriff, or other police officer. Any druggist who fails to comply with the law shall be deemed guilty of a misdemeanor and fined not less than \$50 or more than \$250 for each offence. A druggist who has been convicted of any violation of the law shall be prohibited from selling

intoxicating liquor for any purpose whatsoever, either personally or by agent, for two years within any unit in which the sale of intoxicating liquor is forbidden. Upon a second conviction he shall forfeit his right to practice pharmacy; and the judge before whom a druggist is convicted of a second violation shall so order and send a copy of the order to the board of pharmacy, which shall forthwith revoke the druggist's license, and shall not issue any license to him again within one year from the date of such revocation.

A physician who issues a prescription for intoxicating liquor except in writing and in the case of actual sickness shall be subject to the same penalty imposed upon a druggist. Any person who makes a false statement to a physician or druggist for the purpose of obtaining intoxicating liquor is subject to a fine of not less than \$50 or more than \$200, and to imprisonment in the county jail for not more than 90 days.

LIQUOR QUESTION IN CURRENT LITERATURE.

It was natural that the temperance agitation which in recent years has gained such lively proportions should provoke a widespread discussion of the different phases of this problem in the public press. Magazines, weekly publications, and the newspapers have fairly teemed with articles of all sorts, some bearing the familiar stamp of the professional reformer, others equally prejudiced in an endeavor to prove the futility of sumptuary legislation, and a few striving honestly to seek for and set forth the facts. There has also been considerable theoretical discussion of the ethics of the drink question and kindred topics. Of constructive thought and of effort to evolve and elucidate the principles which should underlie the endeavor to regulate the traffic and surround it with the proper safeguards, little has been said that is worthy of note.

In the following chapter some of the more important contributions to the discussion of the various phases of the liquor problem are referred to, and as of most immediate interest those have been selected that shed light upon actual conditions as they exist in various parts of the country. The uppermost question in different States is how far recent legislation is accomplishing the results expected from it. It is an issue vitally concerning the States which recently have adopted State-wide prohibition, as well as those that through local option, especially of the county variety, are making strenuous efforts to bring large areas under local prohibition. In nearly all States there is more or less agitation for sumptuary legislation, and the experience had with it elsewhere is drawn upon for arguments pro and con. Even in regard to the States in which the prohibitory legislation is of ancient date there remains the question of enforcement, and the query will not down, whether the laws of these States actually prohibit. It is significant that even so far as the State of Maine is concerned, publicists are still at work and agitating the same old question about prohibition.

Appleton's Magazine began in 1908 a series of articles intended to furnish answers to the general query "Does prohibition pay?" Among the answers published, one of the most significant was that

by Holman Day, under the caption "Maine, After Fifty-seven Years of Prohibition." It was a narrative of past and present conditions giving the history of the prohibition law, and illustrating its actual operations, as well as dealing with various aspects of attempts to enforce the law. In the February number, 1909, Mr. Day followed with another article to which extended reference shall be made. It bore the title:

"Maine Faces Bitter Facts."

In referring to his article, the editors of *Appleton's Magazine* said: "For his frankness and honesty, Mr. Day achieved for his article the distinction of being a campaign issue in Maine, with the accompanying charge that he was paid, or *Appleton's* was paid, by the liquor interest to put the material into print. This, in spite of the fact that the editor of *Appleton's* had himself sought Mr. Day to write on the subject, neither knowing nor caring what his conclusions might be, but certain that the article would be honest and illuminating." Of the second article the editors said: "Impressed by the interest aroused by what he wrote, we have asked Mr. Day for another paper on the liquor question in Maine. . . . With more recent facts at command, and written in the same spirit that impels him to face conditions frankly, this article, like its predecessor, is apt to win more controversy for Mr. Day. But the honest student of the situation will be edified by a perusal of his statement of things as they are."

"For four years," says Mr. Day, "the principle of enforced prohibition—prohibition enforced State-wide by central authority, and with the governor himself acting as our grand high sheriff—has been on trial in the State of Maine. At the end of that four years the honest men of Maine confess the bitter, humiliating truth that enforced prohibition has failed miserably. Our political sincerity has not met the test. It is hateful to be compelled to say that. The allegation invites more of that senseless vituperation from the impractical radicals who seem to believe that by glossing or misrepresenting conditions in Maine they can convince themselves that we really throttled Demon Rum up this way."

He refers, of course, to the Sturgis Law which provided for the appointment by the governor of three paid commissioners to enforce the law, and who were empowered to appoint as many special deputies as they cared to, and could cover all parts of the

State. In effect, this enforcement commission had the resources of the State Treasury behind it. Mr. Day draws this conclusion from the operation of the Sturgis Law:

"The dominant political party, having found that making the people obey their own liquor laws has nearly wrecked the party, has decided to 'ease up.' It's the familiar old resource. We know what this means, such of us as dare to be honest in thought and expression. It means that Maine is going back to that wicked, hypocritical, party-policy toleration of rum-selling. This statement is blunt and unpleasant. . . . Truth is not pleasant—especially truth about our methods of handling the rum question in Maine. Maine does not like to talk about it. The political managers don't want the question stirred up. . . . Like others of my friends and neighbors, I have resented the flippant writings of men who have come into the State, have struck a few of the high places and have made fun of Maine's prohibitory law, viewing us merely with the cynical observation of the outsider. If we were now doing our best and honestest in Maine to achieve the suppression of the liquor traffic I would not be writing this. . . ."

Mr. Day then goes on to tell how Governor Cobb, who has retired from office after four years, has been the only governor in Maine who has taken the declarations of the Republican party seriously enough to ask for power to enforce the liquor law, and that he was the only governor in a generation who had lent enforcement his personal efforts and the prestige of his office. Governor Cobb failed and had to suffer the penalty of failure. He did not come to the question as a temperance fanatic. He was not a radical on the prohibition question, but realized the responsibility of promises, the value of laws, and the moral obligation to enforce laws in accordance with his oath of office. The Sturgis Law was put into his hands and practically made him the "chief of the high sheriffs of Maine."

Governor Cobb was elected in 1904 by about 27,000 plurality. At the end of two years, when the sincerity of his promises to enforce the liquor laws had been tested, what happened? When the people "found the respectable barrooms closed. . . . when the bars at hotels and the bars sanctioned by the nullification régime were put out of business and the liquor traffic in Maine was driven to the dives and haunts, to the pocket-peddlers and the State liquor agencies—legalized barrooms whose conditions have grown so

shameful that a special legislative commission has been investigating them—when all this had happened, and Governor Cobb was renominated by a sullen party, he found his plurality cut from over 27,000 to about 7,000. . . . Even the figures of that amazing slump do not tell all the story. Only those who were on the inside of things in the campaign of 1906 understand by what narrow touch-and-go Governor Cobb was elected at all. The test of enforced prohibition failed. . . . The governor who had manfully led that attempt to make Maine honest, who took his platform seriously, who looked to see his party get behind him loyally, has no political future. The damning he has received has doomed him."

"I say again, enforced prohibition has failed in its most vital respect. The radicals who make a fetish of the prohibitory amendment will promptly retort that during the past four years the more conspicuous barrooms have been closed, and that the system of recognized nullification has been broken up. That is true in a measure. But here is something else that is true: in Lewiston, the second largest city in Maine, from figures furnished to me by the mayor, I find that arrests for intoxication during the past four years have steadily increased from something like six hundred annually to over one thousand for the past twelve months. Yet Lewiston is the only city in Maine where a large force of enforcement deputies has been on the job day in and day out, all the time. The object of all laws of prohibition is to prevent the misuse of liquor. On the main question of temperance—its economic, social, and moral value to the community—I do not argue with the prohibitionists. There is no argument. As to the *practical* results of prohibition in Lewiston—our best sample of enforced prohibition—well, if there is any argument to comfort a radical it certainly cannot be produced from statistics. The same facts prevail elsewhere, but Lewiston's example will answer for all the other cities. . . .

"All this present uproar in Maine regarding the liquor question has arisen purely on account of the recent attempt to enforce the constitutional law. It had become so comfortably easy that we had almost forgotten that we had a prohibitory law.

"The country towns did not bother their heads with it, for no one therein wanted or would tolerate liquor selling even under high license or free rum. They are getting along today—and as

they will continue to get along. The countryman either has his liquor come by express or controls his thirst until he gets down to the city. And, to be sure, there is the cider barrel!

"The cities in the old days did not realize that there was a prohibitory law, for in such cities as demanded such indulgences by popular sentiment the sheriff pursued the nullification program, assisted by the county attorney, who secured the imposition of fines twice a year or thereabouts—a practical though illegal system of low license."

Mr. Day relates at some length incidents relating to the administration of Governor Powers, about twelve years ago, who "always unhesitatingly declared for prohibition." At that time "the liquor business flourished in Maine almost without concealment. Hotels and bars quite as open and ornate as those of license States. Saloons were sprinkled thickly along the streets of Maine cities. The country towns were dry, even as they are now, and probably always will be."

Governor Powers, when importuned to secure the enforcement of the prohibition law, is reported to have said, "I am elected to execute the laws—all the laws, it is true. But the governor of a State is neither an autocrat nor is he omnipotent. He must move in certain official grooves. All matters must come before him in certain shape before he can take effective action. Others must have their say and do their part. When a governor attempts to step outside his official bounds, and take the initiative and starts a crusade, he isn't considered by his friends and his enemies as purely patriotic. He is reckoned quixotic, and people back away from him as they would from a broncho. They can't tell exactly where he is likely to kick next. . . . I believe in prohibition and in the prohibitory law, and I would like to see it strictly and thoroughly enforced as long as it is on our statute books. It isn't news to me to hear that liquor is sold freely in Bangor, or, for that matter, in other Maine cities. If you and the other prohibitionists don't like this, why don't you go to work on your officers elected to enforce the law? If they don't enforce, bring their cases before the governor and the council and we will act in accordance with the statutes. We are your servants. We will execute the laws. But you want to understand that the governor and council are not high sheriffs, liquor spotters or special constables." The advice was not taken by the zealot. Governor Powers finished his four

years as executive, being re-elected triumphantly by one of the largest pluralities ever given a governor in Maine, was immediately elected to Congress, and served there without opposition until his death in 1908.

This illustrates conditions under Governor Powers and what his successor in office twelve years later had to face. The story is well known how the Legislature subsequent to Governor Cobb's re-election endeavored to repeal the Sturgis Law, and how the governor vetoed the bill, how the Senate passed it over his veto, and how the House failed to secure votes enough to agree with the Senate. It seemed from the stand taken by Governor Cobb that either his party would listen to his plea, get behind him and make short shrift with the liquor element, or that local officials would take the matter in their hands and obviate the necessity of the hateful enforcement commission with its expensive horde of deputies, or that admitting prohibition not to be feasible, the question of retaining the law should be re-submitted to the people for a vote. But nothing of the kind happened. As Mr. Day says:

"As far as the principle of prohibition itself is concerned, it is admittedly more firmly entrenched than ever. It is the fetich of the radicals. They assert that any kind of prohibition is better than 'licensing the crime of crimes.' I will frankly confess that I do not like the idea of high license or any kind of license, per se. . . .

"But on the other hand! Men are going to procure liquor, and men are going to drink it. . . . The great majority of men who drink are possessed of the spirit of gregariousness and flock to some resort to do their drinking. This fact puts the rum-seller in business. In Maine, under prohibition, as we have had it through all the years, rum-sellers are under no moral or legal obligation nor, what is most essential of all in regulating the traffic, are they under financial restraint of any sort. Any black-leg in Maine who has money enough to buy a keg of liquor—fiery, unspeakable poison, for he will not risk investing in good, and is sure of customers if he has anything that passes for liquor—this person can run his chances and set up in business. He can and he does sell to anyone who has the price. He pits his craft against the vigilance of the officers. Raid after raid may be unsuccessful. Once the law-breaker is caught, conviction is long delayed, by the natural dilatoriness of justice—and in the meantime most of the incorrigible sort of rum-sellers keep on selling, trusting to get off with a fine at the general round-up of rum-sellers at court sitting. . . .

"In those communities where there is a sentiment against rum-selling no one tries to sell rum. In the city of Auburn, even in the most wide-open times of sheriff-made law, no one has opened a liquor shop, though it might naturally be supposed that with fifteen thousand population there would be a call for liquor. There was. There still is. But right across the river from Auburn is the larger city of Lewiston with saloons in the open times and dives in the tight times, and club rooms all the time. The thirsty citizens of Auburn merely walk across the bridge.

"In Maine we all know that were the moral sense of the community behind the Maine law in good, sincere earnest, the police of any city, the constables of any town, would be all the enforcement power we need. But just now we have three sets of officers to deal with the liquor question. The police don't bother at all. They say it's up to the county sheriffs with their special liquor deputies. In five counties in Maine the sheriffs are now calmly sitting back and saying that it's up to the Sturgis deputies.

"It must not be supposed that these Sturgis deputies are in their work out of any moral interest in the thing. They are expolicemen or men of that sort, and are earning their per diem and expenses in quite a matter-of-fact way by chasing the liquor traffic into the dog holes to which it has retreated and from which it is putting out a big amount of villainous liquor. An army could not stop this kind of traffic, which is the worst phase of the rum business because so conscienceless and so wholly unregulated. In four years the State has paid upward of \$75,000 to the Sturgis deputies and the commission that is directing their activities, and considering the fact that these men are doing the work that sheriffs are elected and paid to do, the taxpayers are restive.

"But cost what it has, and as inefficient as the enforcement law has proved in many respects, we do not face with equanimity the prospective 'loosening up' and the old régime of toleration revived. In the past, sheriffs and politicians have used that spirit of municipal or county toleration in order to manage the rum-sellers, forming a close corporation and selling indulgences to the great advantage of the sheriff's pocket. Under that régime we saw even rum-sellers advocating prohibition, because cheap men were allowed to enter the business with the sheriff's permission and protection, who never would have secured the right to sell under a high license system. And the fines paid the court, amount-

ing in most cases to less than three hundred dollars a year per rum-seller, produced from nullification a low license system that was very attractive to the men who wanted to sell rum."

Mr. Day refers to "another partnership that is nigh as shameful, as we are enabled to view the way in which its affairs have been administered in the past dozen years." He alludes to the legalized municipal agencies which are supposed to provide liquor only for use in medicine, in the arts, or for mechanical purposes. These agencies have been doing a particularly rushing business during the years of enforcement under the Sturgis Law. Mr. Day thus describes their business:

"More than one hundred thousand dollars' worth of liquor was sold through town agencies last year at an average profit to towns and cities, so the hearings have disclosed, of forty per cent. The little town of Randolph pays half its annual town bills by profits from the liquor agency. The town is near the National Soldiers' Home at Togus. The veterans have been deprived of the canteen that once satisfied their thirst with beer. Now they patronize the Randolph town agency and buy hard liquors. That is to say, after a wise and beneficent government, acceding to the requests of the temperance societies of the land, has stopped the dispensing of liquors under the government sanction, the prohibition State of Maine, through a legalized town rum-shop, continues the business! The Lewiston agency in a city of less than thirty thousand population did over \$10,000 worth of business in a year."

Mr. Day sums up the situation in Maine as follows:

"The radical prohibitionists and the liberal personal-liberty element are just as far apart as they can get and are calling each other nasty names and fighting each other spiritedly. They will not admit that there is any common ground of compromise on which both elements might meet and arrange matters so that the really best interest of the State would be served. The radicals, making a fetich of the principle of prohibition, without regard to the real efficacy of the measure, impugn the motives of every man who disagrees with them as to policy; even those who tell the truth about conditions in Maine with a view of performing a little moral surgery that may help while it hurts, are accused of being bribed by the liquor trusts. So long as we remain in this state of mind it is useless for us to discuss possible remedies. And the politicians stand straddling from one party to the other and make us crawl

under—and grin while we are doing it. It is not a pleasant prospect—but there you have it!"

"NEW WOMAN AND THE TEMPERANCE PROBLEM."

Of the many obstacles in the path of rational temperance reform, one of the most difficult to overcome is the unreasoning interference of women. It is perhaps the most potent ally of the professional agitator and is everywhere to be reckoned with. No one has put the case more clearly, with deeper insight and greater force than Margaret Deland, the novelist, in an article entitled "The Change in the Feminine Ideal," which appeared in the *Atlantic Monthly* for March, 1910.

Having pointed out various ways in which the feminine sense of newly awakened social responsibility manifests itself, the author depicts the New Woman's efforts for temperance reform in these words:

"Hot with her new sense of social responsibility, she says drunkenness is of the Devil; and the advocates of high license are procurers to the lords of Hell. She is going to shut up the saloon—just as the pressure of her influence has already abolished the canteen in the army, with a corresponding and awful increase of drunkenness. The education of self-restraint has no part in the New Woman's scheme of reform. She does not take into account the slow and painful process of evolution which has, in a hundred years, brought about a finer temperance than our forebears could have dreamed of, in the days when it was gentlemanly to roll under the table after dinner. Yet think what it means to character to be temperate, rather than to be carried about, whither one would not, in the strait-jacket of legally enforced total abstinence!—to say nothing of the criminals that such enforcement would inevitably create out of decent folk.

"With the ballot in her hand, the New Woman would make laws to prevent drunkenness. In other words, she seems to confuse a purely individual issue with a social issue. She would bend society to the needs of the individual, for her conviction of the necessity of legislative interference springs so often from personal experience. Women suffer from the curse of liquor as men do not. The drunkard suffers in his own person, as he deserves to do; but his wife or mother suffers because he suffers. Stinging, then, with her personal misery, the New Woman says, 'I will close the

saloons so that temptation shall be removed,'—with never a thought for the education it would be to some other woman's son to learn to pass that saloon without going in; still less does she reflect upon that nobler education of moderation which means the sane use of liquor. 'Yet which is better—to remove temptation, or to teach people to overcome temptation? To prevent badness is to prevent goodness, for an unwilling action has no moral significance. And certainly the highest righteousness includes the highest power of being bad if you want to be.

"One cannot but think what it might mean in character to the race to have this passionate and noble New Woman, who would reform things, recognize the right of the individual (where society is not directly menaced) to choose between righteousness and baseness; and that implies his right to work out his own salvation, by suffering, yes, and by sinning, if it is necessary. Ah, but regeneration on those lines takes so long! We are so eager to make people good that we forget that the consequences of wrong-doing—suffering, pain, failure, and even death—may be the angels of God, those angels who are given charge over us, to keep us in all our ways. The thousand years of the Lord, we would put into one day! One day—not His.

"Indeed, the New Woman's intemperate temperance betrays her small honor for human nature; her small belief in time, but her very large confidence in her own judgment. Archbishop Whately said with flippant but humorous discourtesy: 'Women never reason; or if they do, they either draw correct inferences from wrong premises, or wrong inferences from correct premises—and *they always poke the fire from the top.*' "

"PROHIBITION IN THE LIGHT OF CHRISTIAN ETHICS."

Under this title an article by the Rev. P. Gavan Duffy appeared in the *North American Review* for December, 1908, from which the following extracts are appended:

"This is no strenuous attack upon prohibitionists and still less is it a defence of what we term the 'liquor interests.' The purpose of the writer is simply to inquire, from the standpoint of Christian ethics, into the principles of prohibition.

"The great wave of total abstinence which has swept, and is still sweeping, over the English-speaking world, is something that will stand out in history as phenomenal. Not only here in Amer-

ica are its influences seen and felt, so that the distillers and brewers are suggesting among themselves the advisability of setting their house in order, but in England, in addition to the moral wave of self-restraint in the use of intoxicants which has swept the country, radical legislation is threatening more and more an enforced restriction.....

"But, as in the case of many other movements for reform, so with prohibition, there is a danger of much thoughtlessness in its advocates and followers, which, unless squarely faced, may only lead to the rearing of a structure on an utterly insecure foundation. The twentieth century suffers from haste. We want to accomplish great ends in a hurry. It is historically characteristic of the beginning and closing of a century, that the people then living are unduly impressed with the notion that they are essentially the ones on whom the ends of the world have come. It is, therefore, not surprising that we should find the movements of the age tinged with that undue haste which is always an evil, and especially so because it is rarely seen by the people contemporary with the times.....

"One great danger today with prohibitionists is the tendency to make their movement synonymous with Christianity and to base their principles confusedly upon what they suppose to be the principles of Christ. They fall into the common error of quoting from a fickle memory without verifying their references. Still another mistake is the manner in which they confound the cardinal virtue of temperance with prohibition, whereas the only relation in which the latter can be looked upon as being in any sense a Christian virtue, is when its exercise is along the lines of religious asceticism in the name of Christ. And even then as we shall show, it is clearly a matter of expediency rather than a Christian principle.

"The evidence for these two statements is to be seen in the tendency to wink at other moral defects in men, provided they are free from the taint of drink, making practically the sum and substance of the Christian Religion to consist mainly in abstinence; and the regarding of the really temperate man as a foe to what prohibitionists inaccurately term temperance.

"Looking at the whole matter from the standpoint of Christian ethics, the question that must arise is, Have prohibitionists faced fairly and squarely the attitude of Christ to this vexing prob-

lem? And, apparently, the answer must be 'No.' Indeed, here lies the chief difficulty with prohibitionism—the attitude of Christ is distinctly against it.

"There was no tinge of asceticism about our Lord; He came into the world eating and drinking and, because He shared in the actual life of rich and poor in this way, He was termed by many a wine-bibber. And standing out in direct challenge of the prohibitionist's position is the fact of the miracle at the marriage feast in Cana of Galilee.....

"One, indeed, is particularly struck by the fact that, face to face with the drink problem, Christ said so little bearing upon the subject. Confessedly, it is a difficulty with prohibitionists. From their standpoint it was clearly the seeming duty of our Lord to adopt a directly opposite course and to preach and teach with all His energies against what they understand to be the greatest evil and curse to mankind.

"It is only when we cool down from the boiling heat of the zealot to the calm consideration of dispassionate inquiry, that we are conscious of the lessons Christ was practically but silently teaching in the miracle we have been speaking of. First, He clearly recognized that wine was a creature of God and a higher creation than water; secondly, He manifested His unbounded trust in humanity, which, later, even crucifixion could not kill; thirdly, He tacitly taught that the responsibility for excess rested upon the individual and not upon the thing abused.

"And this last reason, perhaps, is the serious point of cleavage between Christ and the prohibitionist—the one placing the responsibility for abuse upon the abuser, and the other shifting it from the abuser to the thing abused.

"In other words, Christ taught men self-control, which is but another name for temperance. Men must be masters of themselves, and where they would not be (not because they *could* not be, but because they *thought* they could not be), He issues the prohibitory injunction, 'If thy hand offend thee, cut it off; it is better for thee to enter into life maimed, than having two hands to go into hell.'.....

"Here it is worthy of note that the historic Church has consistently maintained this principle. As far back in the early history of Christendom as the Apostolical Canons, we find Canon 51 pronouncing judgment upon Bishops, Priests and Deacons, who,

for any other cause than the exercise of the ascetic life, profess an abhorrence for wine as well as flesh, meat and marriage.....

"It must be insisted that, from the standpoint of Christian ethics, temptation is to be met and overcome. This is to be the line of Christian conduct and Christian development; not a concentration of effort in a futile attempt to remove temptation or escape it. It is a spiritual law, as exact as the law of gravitation, that temptation never can or will be removed in this life. It is conceivable that a man can, and frequently does, become the master of this or that particular temptation, but he remains the master of what has existed, does exist and always will exist.

"Therefore, to sweep away every saloon, to close up tight every beer garden, to make the drug-store supply of intoxicants an impossibility, would in no sense remove temptation; for the main force of temptation is *within* the man and not without. It might in some measure, for the weak-willed who have no self-control be said to diminish temptation, but certainly not to destroy it, for the chief difficulty lies in the uncontrolled appetite. And just so long as the appetite remains the master, the subject will yield again and again; so that, if it were possible to destroy every saloon and distillery and to put an end to all present known intoxicating drinks, the debased appetite, spurred by its craving, would seek till it found some other and, perchance, worse stimulant. Every clergyman who deals with moral disease is familiar with the person who has been whiskey-cured to become drug-crazed, and with the common type of those who think they have conquered a besetting sin when they have only merely exchanged it for another.

"It is an unfailing law that the existence of appetite connotes that there is food wherewith to satisfy it, and the only question for moralists is the regulation of its lawful use and the prevention of its abuse. Consequently, to place the blame on the thing abused and not upon the abuser, is to evade the whole question. And just so long as the prohibitionist continues to fix the responsibility for the drunkard's downfall upon the drink he abuses, rather than upon the drunkard himself, just so long will he furnish the excuse the abuser is looking for in the evasion of responsibility.....

"The only basis of reform, then, is through the individual; the building up of his moral strength and will-power which will result in self-control. This clearly is the work of the Christian Church and the only solution of the problem. Regulate the saloon by all

means; rid it of its debasing conditions, or change the method of supply of intoxicants by abolishing the saloon, if need be, for governmental control and sale, or some other judicious method—all this may be well and good and wise, but the one essential that must ever be kept in view is to teach men to be masters of their appetites. When this is done, the problem is solved.

“On the practical side of the present-day prohibitionism, there are manifested manifold defects. Men will never be legislated into real morality, and, in pinning so much faith and value to law as a moral reformer, the prohibitionist is evidencing a decided weakness of his system. It is here that haste is so destructive. It has taken nineteen hundred years of Christian teaching to bring mankind to the state of control it has at present. It is foolish in the extreme to suppose that now in a few short years, by acts of legislation, we are going to root out a moral difficulty. It is the haste, the wanting to see results, that is the root of all this. To a large degree it is in its motive commendable, but plainly impossible, if past history is of any value.

“As a consequence, we find men acting on impulse, clamoring for legislation which is not truly reflective of the corporate or community Ego. The ethical value of law lies not in the law itself, but in its reflecting and recording of public thought—so that no law is stronger than public opinion.

“So it often follows, even in local option towns, that men have voted for what they were not inwardly willing to maintain for themselves. The thought has been for the ‘other fellow,’ and then, when the restraint their votes had imposed has been felt personally, the tendency is to dissemble—to become a creature of appearances. Hence the display of moral cowardice is nowhere more deplorably in evidence than in prohibition States and local option towns. The man who wants his liquor gets it surreptitiously from the drug store, or in the unmarked packages that are shipped by express, or from the pocket peddler. In each case he is apt to drink concoctions which are full of impurities—sometimes vile and health-destroying—or he has recourse to the more respectable method of buying patent medicines, containing anywhere from ten to seventy-five per cent. of alcohol, with the advantage of feeling free to point the finger of reproach at the open drinker with his bottle of beer containing four per cent. of alcohol! Each year he, perchance, votes ‘no license’ to measure up to the standard

of artificiality, and congratulates himself that he can successfully humbug his neighbors when they only *think* they are humbugging him!

"As a consequence of all this, the disease is driven *in*; and the danger, as a result, terribly increased. The words of the Bishop of Vermont in a recent sermon in London, in which he warned the English people against acting hastily, by dwelling upon the dangers of the hidden disease of drink in America—the result of prohibition—are words that will be weighed by all except fanatics.

"The writer speaks as one who is familiar with the practical results of prohibition in prohibition States east and west, and as one who has long studied the question. It is clear to his mind, at least, that the weaknesses of that system are manifest in the manner which he has set forth.

"Surely it were better to frankly face the whole situation, even at the risk of a shock to religious prejudices or the ideals of well-meaning prohibitionists than to go on, blind to facts, pursuing the impossible for our time. Moral reforms never come in a hurry, and none that is lasting has come purely as a result of a legislative act. The seat of moral disease is within the man. And, after all, as we have shown, drunkenness is but the excessive indulgence of an appetite which the example of the world's greatest Reformer shows us has a perfectly legitimate use. To turn back to that cardinal virtue translated into Christianity from Greek Philosophy, and blessed in the Name of Christ, Temperance, it may be confidently believed that self-control offers the wisest course for the general run of humanity. So it becomes the duty of the Christian Church to rescue the name of this virtue, which prohibitionists have perverted into a synonym for total abstinence, and to inculcate it and its powers into men's hearts."

PROHIBITION IN SOUTHERN AND OTHER STATES.

Current publications have within a year devoted much space to a discussion of the prohibition situation in Southern States. Here the experiment of State-wide prohibition is new, and its operation is therefore naturally watched with especially keen interest. In *Putnam's Magazine* for March, 1909, and in *Leslie's Weekly*, several studies of the subject have appeared from the pen of Mr. S. Mays Ball.

PROHIBITION IN GEORGIA.—Under the caption "Prohibition in Georgia, Its Failure to Prevent Drinking in Atlanta and Other Cities," Mr. Ball, in *Putnam's Magazine*, first gives a résumé of the enactment of prohibition, in which he refers among other things to the saloon conditions in Atlanta where he says: "The best liquor laws in all the Union were in operation. The saloons were under the strictest scrutiny and control of the police commission and city council committee." "No stranger, no unindorsed or unintroducted person, could get any liquor in Atlanta between the hours of 10 o'clock at night and 5:30 in the morning, or on Sundays."

He then proceeds to give an account of the experiences of Atlanta and other cities with the actual enforcement of prohibition. His story is outlined in the following extracts:

"For the first month or two the newspapers were full of accounts of the great decrease in crime as a result of the new law. City Recorder Broyles stated in his police court that the decrease was from sixty to eighty per cent.; and the solicitor of the higher city court reported a similar state of affairs.

"The stock of liquors purchased when the saloons closed held out fairly well; but the Southern Express Company evidently knew what it was doing when the Superintendent of the Atlanta Division rented a vacant store to be used solely as a depot for the import-liquor trade, and had extra delivery wagons brought to Atlanta. The saloon men, bar-keepers and proprietors, with their families, some fifteen hundred all told, moved from Atlanta to other cities. The wholesale liquor people simply moved their establishments across the Georgia State lines into Chattanooga, Tenn., Jacksonville, Fla., and other 'wet' cities, and began to get ready for the rush they knew would come so soon as the people in the larger cities of Georgia had exhausted their purchased stock of liquors. The brewers sat steady in the boat, awaiting the developments they expected, hoped and worked for.

"Very soon 'walking blind tigers' began to be apprehended. Raids were also made, and arrests were followed by convictions in the City Recorder's court, binding the defendants over to the higher courts. One case, since used as a precedent, was carried to the City Court and received a ruling there that the Prohibition Bill did not specify the percentum of alcohol in a drink, but did specify that, *if sufficient to cause intoxication when drunk to excess,*

this alone would be just cause for conviction. This decision was upheld by the State Court of Appeals. The old saloon people, when that decision was announced and upheld, began to sit up and take notice.

"In the meantime, the Southern Express Company, at its special depot in Atlanta, was doing a rushing business, employing nine to twelve extra wagons daily in the delivery of whiskey and beer. On a certain day in May, 1908, a wagon of the Express Company, usually employed in delivering 'dry' goods, was added to the list of 'wet' wagons, and delivered, between early morn and dewy eve of that day 265 cases (gallons) of whiskey and six barrels of beer to different consumers in the *residential* part of the city.

"As soon as the Court of Appeals upheld the decision that it was not the percentage of alcohol in a drink, but its power to intoxicate, when drunk to excess, that permitted or prohibited its sale and manufacture, the brewers took action, and upon the local markets from Macon, Savannah, Atlanta and outside of the State there appeared a 'near-beer', which had the appearance of real beer and was *said* to contain all its good qualities, but was non-intoxicating. This near-beer not only made a great hit in Atlanta and other Georgia cities, but its sale grew to such an extent as to interfere with the Express Company's beer business, but not with its whiskey trade. The old saloon houses, only a few of which had been rented for other purposes, were now opened as near-beer saloons, in which the new concoction was sold to appreciative customers; and even at the soda-water stands the near-beer was put on sale. Simultaneously the number of 'drunks' at the police court began to increase, simply because near-beer is in reality nothing but real beer under another name. The decision upheld by the Court of Appeals hit the Anti-Saloon League heavily, and spoked its wheels.

.....

"Owing to the panic which hit the State about the same time that prohibition struck it, it is well-nigh impossible to say what the financial effect of prohibition has really been. As a matter of fact, more property is standing idle in Atlanta today (December, 1908) than was the case before the Prohibition Law went into effect. Prohibitionists say that this is simply due to hard times. Anti-Prohibitionists say that it is caused chiefly by the Prohibition Law. So there you are! To an unbiased observer, it really seems to be from the combined effects of hard times *and* prohibition.....

"It may be difficult, but is *not* impossible, for anyone well informed as to the *modus operandi*, to buy *all* the whiskey he wants in Atlanta. The writer has been informed by a reliable business man that there is not the slightest difficulty in getting whiskey, if the would-be buyer is known to be 'reliable'—that is, not an Anti-Saloon Leaguer.

"There are at this writing, in the city of Atlanta, about three hundred open saloons and stands selling real beer under the name of near-beer. These saloons occupy the same stands formerly used by the saloons, with the same old fixtures, same old bar keepers, and same old effect. Every now and then one of these saloons and stands is hauled up in a police court and sometimes shut up; but the number actually open will average three hundred. When they were first re-opened, they sold beer to women and children, but an ordinance has been passed by the City Council prohibiting the sale of near-beer to women and minors.

"On Sunday, August 16th last, the police of Atlanta found a 'blind tiger' of superior growth operating in the very halls of the State Capitol of Georgia; which was rather startling to the citizens 'wet or dry.' As Confederate veterans are allowed in Georgia to do business without the payment of any license whatever, State or city, they have become in great demand among the near-beer people.

"In the first few months after the Prohibition Bill took effect, the lack of promiscuous drinking in cities was very noticeable. . . . One could read in the foreign outside press letters and opinions from the Georgia Anti-Saloon League stating how well the prohibition law was affecting morals, etc. This state of affairs did not last very long. It was a new condition, that of having to 'speak easy' to procure one's dram, and it required some time to acquaint oneself with the handling of the ropes—but not a long time. Gradually the number of 'drunks' in the city police courts of Atlanta increased. On Monday, August 17th last, there were before the Atlanta police court 171 cases of drinking and disorderly conduct (first cause, drinking). The sum of \$912.25 was collected in fines, most of the prisoners being sent to prison in default of payment of the fines imposed. The record at police court for prohibition times up to August 17th had been made on August 10th, the week before, when \$678 was collected from prisoners, many others being sent to prison. Of the 171 prisoners tried on August 17th, 93 had

been arrested on Saturday and 78 on Sunday. On the corresponding Monday in 1907, when everything was 'wet' and wide-open under high license, there were 186 cases tried in police court—only fifteen more. For a while the number of cases daily under prohibition was only one-sixth, or one-tenth as great as during the preceding year; but there is no longer any very marked discrepancy in the figures. At the beginning of 1908 the number of drunk-and-disorderly cases in the police court ran from five to ten only; now it runs from 100 to 150 per day, as in 'wet' times. These cases always include a stationary or walking 'blind tiger', sometimes only one, often two or three a day. In August last, one of the city policemen was relieved from his post for being intoxicated from near-beer, of which he claimed he had only drunk two glasses, and that it was 'doped.'

"In view of this open violation of the law, action was of course taken by the Anti-Saloon League, but not enough to cause any decrease in the police records. The Prohibitionists seemed to be literally stunned by the increase in drinking. . . . The only newspaper of any size in Georgia which had advocated prohibition before the passage of the law, kept reporting an increase of 'crime,' but advocated no steps to be taken to prevent the violation of the law. The question arose: Was the Prohibition Law passed in good faith, or for political ends and in hope for office, or merely for notoriety? For little or nothing has been done by the Anti-Saloon League or its newspaper to compel the strict enforcement of the law in Atlanta, except an instance which will be mentioned farther on. . . .

"Before the passage of the Prohibition Bill in 1907, one hundred and twenty counties of Georgia were absolutely 'dry.' Under the Prohibition Law, near-beer saloons were opened in many of these counties, which flooded them and the counties adjacent with intoxicants which the Court of Appeals had decided did not violate the law. And yet, the same Legislature that had passed the Prohibition Law of 1907 refused absolutely to do anything in 1908 to prevent a flooding of Georgia with a near-beer which was and is really nothing but real beer. Some representatives went so far as to say in regular session, 'Georgia is dry enough—let her alone.' Asked by the Prohibitionists to memorialize Congress to pass a bill prohibiting the shipment of liquor from one State into another that was 'dry,' the Legislature declined to do so. But when, after

adjournment, Governor Hoke Smith called it in extra session to abrogate the Convict Lease—a disgrace to the State,—the Legislature was forced to raise revenue to take the place of money formerly coming from the convict leasing; so the rejected Wise bill, taxing near-beer saloons \$200 yearly, was finally passed. Needless to say, the new law is now being contested in the courts.

“Prohibition in Atlanta? Well, there isn’t any. As to the law’s effect on local business, that is a debatable question. But as to the temperance effects of the regulation of the sale of beer and whiskey in Atlanta, to be perfectly candid, they are simply farcical.

“In August last, Assistant Superintendent J. B. Richards, of the Anti-Saloon League, was credited with these statements in the *Atlanta Press*:

“‘Beer is being sold here, right and left, and I know it. One fellow has the nerve to put up a sign “The Beer that Made Milwaukee Famous.” You can get any brand you want. You can get whiskey too; for what does it mean when twenty-seven car-loads of whiskey and beer are shipped here? The town is being flooded with real beer that contains the standard amount of alcohol. Proof, though, is difficult. If we Prohibitionists should go into a place and ask for beer, we would be given harmless near-beer that the courts allow to be sold. The dealer knows exactly what bottle to give us. To people they know well, they take out a bottle of real beer, slip off the label and serve it!’

“Dr. J. C. Solomon is the Superintendent of the Anti-Saloon League. His jurisdiction extends over the entire State. In the course of a letter to the *Atlanta Journal*, Dr. Solomon says:

“‘Men of the near-beer department, my poor words of advice may fall on deaf ears. You may mock me for my folly. Nevertheless, I advise you. Let me say to you, in all candor, you are conducting an unholy and dangerous business. You are constantly violating the Prohibition Law of Georgia, and you know it. Daily drunks and disorderlies are coming before our courts. And those men, not a few, who swear that they get drunk on these near-beers are becoming more and more numerous. You are bringing our State more and more into disrepute; without a blush, you are casting the vilest aspersions on her fair name!’”

“Dr. A. R. Holderby, another minister of the Gospel and a great Prohibitionist, stated in his pulpit recently:

"The near-beer situation in Atlanta has reached a critical stage. The Prohibition Law is being openly violated and that too with the knowledge and by the consent of the city authorities. Atlanta has become the laughing-stock of this country and a stench in the nostrils of the Almighty. The City Council is winking at the violation of the law and hand-cuffing the Police Department.

"An unbiased observer of conditions in Atlanta must, in fact, be forced to the conclusion that, under the present prohibitory law, beer is being openly sold and whiskey can be purchased; and that, while there is no decrease in city and State cases in the police court, there is, on the contrary, an increase of perjury on the witness stands and of easily handled juries in the city courts.

"While this article applies to one city only, the writer is firmly convinced that conditions in Atlanta are paralleled in every other large city in the State of Georgia, and that in some cities they are worse. For instance, it is charged that, in Savannah, through an alleged arrangement between certain city authorities and the 'blind tigers,' the latter are permitted to operate openly and (except on Sundays) sell anything drinkable they choose, on the understanding that the 'blind tigers' are to be raided twice each year and fined in the city court. In this indirect way does Savannah, it is alleged, license its saloons. It is said that one raid, in 1908, yielded over \$15,000 in fines."

PROHIBITION IN MISSISSIPPI.—The question "Is Prohibition In Mississippi a Farce?" Mr. S. Mays Ball undertakes to answer in *Leslie's Weekly* for August 5 and September 2, 1909. He characterizes the bills passed, of which there were no less than five, to make prohibition effective, as "corkers," and surpassing all other prohibition laws in the South as to strictness. But evidently in the localities especially studied by Mr. Ball, the radical nature of the legislation does not have the intended effect. And notwithstanding all the claims made by the friends of prohibition in regard to its enforcement, Mr. Ball finds himself obliged to say concerning conditions in Jackson, the capital of the State:

"Now, as a matter of fact, there are blind tigers all over Jackson; not only 'stationary' ones, but also any number of walking blind tigers, from which beer or whiskey can be gotten, sometimes with ease, sometimes with much trouble. The writer learned of

many instances of the violation of the liquor law, when later he made the acquaintance of several 'wets,' one of whom went with him to investigate the 'stationary' blind tigers and take photographs of them. In the places photographed, either whiskey or beer, and sometimes both, can be bought; in fact, it was bought. The negro women of Jackson purchase, say, a gallon or so of cheap whiskey, and, diluting it with about four-fifths water (or, as some Jacksonians claim, sulphuric acid), find it much easier and much more profitable to maintain a livelihood, as liquor sellers than by 'taking in washing.'

"The queen of all the 'blind tigresses' is a negress named Smithers, who has been frequently arrested and convicted, always coming up with her one hundred or two hundred dollar fine with no trouble at all. Recently this negress, who is wonderfully bright, was caught 'with goods on' by use of marked money. She was acquitted, for the witnesses appearing against her were two out-of-town detectives, whose word the jury, composed of white men, declined to accept in preference to the defendant's.

"On the trains in Mississippi there are said to be sold (the writer didn't see them) two kinds of packages—one called 'Honey Boy,' price fifty cents; the other a little larger, called a 'cracker Jack,' price seventy-five cents—which, if the purchaser understands the combination, will furnish something in liquid form that is said to cheer and has been known to inebriate. A newsboy was recently taken off of his route at Utica, Miss., tried for violation of the prohibition law and sentenced to sixty days on the county convict farm.

"At the time of the writer's stay in Jackson, the city was full of so-called near-beer saloons, wherein, to a prohibitionist, the near-beer was served; to a man carrying the right 'sign' the real beer, and sometimes anything else he wished in the way of drinkables alcoholic. The writer was told of one case in the vicinity of Jackson, where a man carried a receptacle on his person containing whiskey, to which was attached a tube. 'Sucks,' at fifteen cents, were sold right and left. Since the visit of the writer to Jackson, namely, on June 10th, the Supreme Court has handed down a decision that no drink containing any alcohol, not even near-beer, could be sold. It was reported that immediately all the near-beer saloons were closed by Mayor Crowder in Jackson; also that Vicksburg and some other towns have paid no attention to the decision. The writer does not vouch for the latter statement.

"There is much to keep the officers of the law busy in a prohibition city. Early in June last there were thirty-five arrests in one day in Jackson. A report made June 24th shows that the Jackson police made 862 arrests during less than half of the year. This was said to be a record-breaker, with the 'busy' season yet to come. At any rate it is calculated in Jackson that there will be a total of 1,800 arrests for the year. The high record in the past has been 1,400.

"Six Vicksburg men went to Jackson, and, finding it necessary to spend the night in the latter city, decided to get up a poker game. They were of the belief that without drinkables there could be no real poker party. They interviewed the powers that be in the hotel as to the securing of 'wet' supplies. 'Sure, we kin get it fer you, boss, and in thirty minutes, too.' 'But we wish one hundred and forty-four bottles of beer. Where can you get that amount of beer in Jackson in thirty minutes?' 'Leave it to me, boss,' said the factotum. Within the time limit, through the lobby of the ———Hotel, came two negroes bearing on their shoulders two gunny-sacks filled with rattling bottles. The traveling men and other hotel guests were much amused.

"As Jackson has had the 'dry' law in effect for about fifteen or so years, the people's sentiment, so to speak, has been better educated, and the prohibition law in that city, it is only fair to say, is better upheld than in any other town or city in Georgia, Alabama, Mississippi or the two Carolinas visited by the writer; but, unfortunately, that is not saying a great deal. While the writer took no sides in this matter, here is the result of his findings in Jackson: That the only possible thing that prohibition has accomplished there is the removal of the mental suggestion to the man or youth from the sight of an open bar. It has to an extent removed temptation from the weak, but as for preventing what the law was passed to prevent, it is perfectly absurd to claim that it has done anything of the sort. Now, to offset this gain to the community, there has been caused ceaseless strife among differing friends, prohibition has split communities up into factions which denounce each other in unmeasured terms, ministers of the Gospel denounce, in the press and from the pulpit, honest men who believe that prohibition cannot prevent what it was intended to prevent. In Jackson, as in other larger cities of the 'dry' belt, the prohibitionists have a newspaper, the '*Searchlight*,' which in one of its recent issues contains

a number of not very temperate articles, squibs and so on, regarding citizens of Jackson who do not agree with the Law Enforcement League and its methods. And as for stopping the negroes from getting whiskey, it is simply impossible. If they couldn't get whiskey, they would simply switch to cocaine sniffing.....

"On the morning of his arrival in Vicksburg the writer was fortunate enough to have a series of conversations with Judge Harris Dickson, the able author and Prohibitionist. The saloons in Vicksburg had been closed. There were some near-beer saloons at that time in the city, and as a general proposition the prohibition law in Vicksburg was being strictly enforced. The law, however, to some extent, is being nullified by the nearness to the State of Louisiana—a 'wet' State, which is expected to go 'dry' in two years. This is the gist of Judge Dickson's comments on the situation in his city.....

"It was authoritatively stated that before prohibition went into effect in Vicksburg there were thirty-one saloons which paid annually the State and city \$1,500 each—\$1,200 to the State, \$300 to the city of Vicksburg—as licenses; or a total revenue to the State of Mississippi and the city of Vicksburg, annually, from the saloons of about \$46,500. In exchange for this revenue, the city of Vicksburg had licensed some forty near-beer saloons (at the time of the writer's visit), which paid \$75 yearly each into the city's treasury, or, say, \$3,000 a year—a loss of \$43,500 annually from saloon licenses; and the 'wets' said that as much liquor and beer were being consumed in Vicksburg at that time, in spite of Colonel Hayes's detective report, as there had been before prohibition took effect. Since this investigation of Vicksburg, the Supreme Court of Mississippi ruled that not even near-beer could be sold in the State. What effect that ruling has had on Vicksburg the writer is not in a position to say. But now for that delayed explanation of Vicksburg's alleged 'wetness'.....

"De Soto Island, within a stone's throw of Vicksburg landing—an island belonging to a State that was still 'wet'—was offered to and was accepted by an enterprising saloon keeper. A Mr. Morrissey leased this island. Upon it, or above it—for the waters cover it most of the time—he built a number of barges, so arranged that when the water was low, the barges, theretofore anchored, simply settled on the mud of the island. Mr. Morrissey took out a license from the State of Louisiana to sell liquor and beer. He built com-

fortable club rooms for the white people and drinking rooms for the negroes. In passing it might be well to say that before prohibition thereabouts, except in the limited number of negro saloons, persons of color were compelled to stand at the back doors, receive their orders outside and make a hurried getaway. Mr. Morrissey's arrangements for the negroes on what is familiarly called in Vicksburg now the 'Island' were appreciated. He has been repaid, yea, a thousandfold. Steam launches, one set for white persons, another for negroes, run all day and all night between Vicksburg landing and the Island. There is no charge for the ride to and from the Island, the launches operating during busy hours with a headway of about five minutes apart. These launches are always crowded; if not, the captain offers invitations to the crowd on the landing in this wise, 'Come take a free ride, boys. You don't have to buy anything after you get to the Island.' Such invitations were usually accepted during the writer's stay in Vicksburg. There is a constant drove of men, youths and boys going over from Vicksburg to Morrissey's Island. There is a magnificent electric light plant on the barges or club houses, and when the location is lighted up, with free rides offered, yea, forced on one, how can that one resist? Mr. Morrissey is supposed to be paying the State of Louisiana an annual license of \$1,500. He is undoubtedly flooding Vicksburg, yea, Grenville, and all the near towns with all the liquor wanted, and he cannot be legally stopped. The Governor of Mississippi appealed to the Governor of Louisiana, but what could the latter do? Morrissey is strictly within the Louisiana law. The writer made a trip to the Island.

"The main drinking room on the Island is simply an immense saloon. The place was packed and jammed the afternoon the writer visited it. Mr. Morrissey being absent, some of his employees were kind enough, through the influence of the writer's friend, to do a bit of talking—but not much. Seeing all that was desired,—a pushing, motley crowd, under absolutely no police regulation, everybody calling for drinks, hardly a bit of space in the immense room unoccupied—the return trip to Vicksburg was begun, missing three launches on account of the crowds of white and negro men, hardly any of them without a package in their pockets to carry into 'dry' Vicksburg. A friend, familiar with Mr. Morrissey's financial affairs, that is, his income from the Island, told the writer that he knew that Mr. Morrissey had averaged for days at a

time receipts of over \$1,600 per twenty-four hours. 'But what will he do when Louisiana goes "dry," as the Prohibitionists say it will, in two years?' was asked. 'Morrisey won't care,' was the reply. 'At his rate of profit now, in two years he will be worth two million dollars.' So the Prohibitionists stand in sight of Morrissey's island on the Mississippi side and gnash their teeth, while Morrissey is doing practically for one license of \$1,500 annually the business that thirty-one saloons did in Vicksburg in 1908.

"The writer went around to investigate the near-beer saloons in Vicksburg; they are about the same as those in all other 'dry' cities.

"The writer secured real beer all right in the city of Vicksburg without going to the Island for it—just as the chief supposed was possible. So as for Vicksburg! Here we have a peculiar situation of a saloon nearer the Mississippi shore than the Louisiana shore, but, under the law, belonging to the latter, flooding the near-by cities, towns, yea, counties, with all the 'wet' goods desired and paying Mississippi no license!

"Now, in Natchez, in Adams County, Miss., just across the Mississippi River from Vidalia, La., there are many blind tigers, but what Chief Groome of Vicksburg said of his city applies satisfactorily to Natchez, for this reason. The following, emanating, it is understood, from the Interstate Commerce Commission at Washington, in the form of a recent press dispatch, confirms the writer's investigation and explains in a measure what is meant:

"A unique scheme to evade prohibition laws has been devised by the incorporation of express companies which operate between States. In the last two or three months several such companies have been incorporated in various parts of the country. In every instance the companies do a business close to State lines. None of them has filed with the Interstate Commerce Commission its annual report, and it is understood an effort will shortly be made by the officials of prohibition States to prevent the operation of such companies.

"The commission received an inquiry from the Mississippi State authorities some time ago, respecting the operations of an express company at Natchez. Mississippi is a prohibition State, yet it developed that an express company had been organized and incorporated at Natchez, the bulk of the business of which appeared to be transportation of beers and liquors from another State

into Mississippi. The beverages are consigned to individuals in Mississippi and are delivered by wagons of the express company. The curious part of the transaction is that the express company was incorporated by dealers in beers and liquors, with the evident intention, according to the Mississippi authorities, of evading the stringent State liquor laws. A similar case has arisen in Massachusetts.'

"Now, the way that scheme was worked during the writer's stay in Mississippi was this: The ——— Telegraph and Express Co. had an office in Natchez. Taking time by the forelock, if you wished a case of beer or whiskey or what-not, it was the proper thing to visit the telegraph and express office at least thirty minutes before you wished the goods delivered. •You wrote out a telegram ordering what you wished, paid the charges on message and goods expected and left the office, to return in half an hour to receive your supplies. The telegraph and express company had a boat or two tied up to the wharf which, presumably, brought over the goods from Vidalia, La. The State authorities of Mississippi attempted to close the telegraph and express office, principally because it was charged the books of the company showed the company to have done about fifty-seven cents' worth of business for outsiders—all the remaining business for themselves—in telegraphing and expressing. The question as to whether such companies can operate is too technical a legal point for this discussion. The company at Natchez was operating when I was in Mississippi. The above dispatch explains that the State of Mississippi was not satisfied with its efforts to put the telegraph-express company out of business, having appealed to the Federal authorities.

"Now, in other portions of Mississippi one is likely to be told that in Meridian there live a great many 'cranks,' of all sorts and conditions, on the subject of reform; that, whenever in doubt, the city council passes some law regulating the morals of that busy town. The writer saw no cranks in Meridian; on the contrary, he saw a lot of courteous gentlemen. He also saw the same things, in so far as blind tigers are concerned, as he saw in Jackson, Miss., the capital of the State.

"There is possibly a little less drinking in Meridian than in Jackson. The writer is not quite sure, but would be willing to state that the two cities are pretty close together, that is, one can get beer or whiskey, if one wants it, without going through any sewers or back alleys, etc.

"Mississippi has, then, so far as discovered by this investigation, three distinctive types of evasion of the prohibition law, represented, as heretofore described, in Jackson (and Meridian), Vicksburg and Natchez.

"On the Gulf coast, according to a statement issued July 9th by the city clerk of Gulfport, Miss., forty persons have been convicted for operating blind tigers in that little city during the past six months."

PROHIBITION IN ALABAMA.—In no State has the struggle over prohibition been fiercer than in Alabama. Conditions in that State are made the more interesting by the fact that the recent attempt to put prohibition also into the constitution was overwhelmingly defeated. Since January 1, 1909, Alabama has been under the so-called "Carmichael State Prohibition Law" which is as "iron-clad" as any law of its kind. It was passed in the latter part of 1907, but did not become operative until January 1, 1909. But previously many cities, counties and towns had voted out the liquor traffic under local option laws. Thus Jefferson County had voted "dry" in October of 1907 by 1,500 majority. The city of Birmingham in this county returned a majority of about 300 against local prohibition, but the rural districts easily overcame it.

Birmingham and Jefferson County had therefore been supposedly "dry" about 12 months before the State prohibition law went into effect. What success Birmingham has had with this experiment is told by Mr. S. Mays Ball in *Leslie's Weekly* for December 23 and 30. In the course of his investigation he turned first for information to the Rev. Brooks Lawrence, State Superintendent of the Alabama Anti-Saloon League. To the point blank question whether whiskey or beer could be purchased in the city of Birmingham, this gentleman replied, in effect, "that no whiskey or beer could be purchased in the city of Birmingham; there might be a possibility of buying some near-beer, but nothing stronger." How this assertion agrees with the facts found by Mr. Ball is told in the following:

"After leaving Dr. Lawrence, the writer made a few personal investigations. During that day (April 27th, 1909), nearly sixteen full months since prohibition went into effect in Birmingham, the writer visited twenty-four open saloons, with the same old signs, same old fixtures, same old bar keepers as in 'wet' times—all with-

in a stone's throw of the scene of the conversation above referred to—in which places, whether called near-beer saloons, cafés or soft-drink places, he saw either whiskey or beer served to anyone who had the price. There was not, nor is there now, any secret about it; the only difference between the 'dry' times now and former 'wet' times is that the bar keeper is likely to request you not to linger in the store room. Another thing, also, which must be mentioned, is, namely, that the bar keepers will not knowingly sell a man or party of men or boys any further liquor when the former believes the purchasers have had all they can safely carry. The judgment of the bar keeper works in two ways: First, the purchaser, being refused more liquor or beer, is likely to go home; secondly, thereby reducing the arrests for 'crime' in Birmingham...

"After making a few of these personal investigations, the writer had another interview with Dr. Lawrence and told him of what he had found out, namely, that whiskey and beer were being openly sold in the city; in fact, in three cases whiskey and beer were brought from the saloons in broad daylight out to a cab at the street curb, with policemen all about. Dr. Lawrence still denied that such purchases could be made, stating that unless the writer would give him the names and locations of the places investigated, with more proof than the latter's word, 'unless you can name your authority on this statement, I do not consider it worth anything'—the quotation also applying to the number of places in the city where illicit sales were being made. That requested information the writer, of course, declined to give. He was, and is, not in that kind of business.

"Not being able to get together on the above investigation, the writer asked Dr. Lawrence if there had been within the sixteen months—say, up to May 1st, 1909—any convictions for the violations of the prohibition law by any man, woman or child who had the means to employ an attorney to fight the case. Upon the list—the list offered as evidence to the writer—were the names of twenty-two persons, eighteen of whom were negroes and four white persons. Being pressed for a direct reply to the writer's question, Dr. Lawrence was able to name only one man who was known to have the money to fight his case who was serving sentence for violation of the prohibition law. His name was Fred Wehage. Mr. Wehage was sentenced for six months. Now, the writer took the name of Mr. Wehage down in his notebook and went to the

county courthouse to investigate the conviction. He was informed there by a number of court officials that Wehage's case having been postponed and postponed, was suddenly set for a certain day. Wehage's friends, according to the writer's informants, were the cause of his going to prison, saying, in effect, 'You needn't bother about going to court tomorrow; your case is not likely to be called. Even if it is, Judge —— will turn you loose, anyway.' Wehage took his friends' advice. His case was called, but, not being present, he was sent for. As the court officers, some of them, told the writer, Wehage was sent to prison more for contempt of court than for violation of the prohibition law. But admitting he was sentenced, as Dr. Lawrence said—sixteen months of open violation of the prohibition law and one conviction where the offender could defend himself legally!.....

"A 'wet' in Birmingham told the writer that there were in Birmingham and Jefferson County 262 known places where liquor or beer could be openly purchased. Dr. Lawrence insisted that, that could not be true, that there were only 117 Federal tax receipt holders in Jefferson County. Inquiry at the United States revenue office, Birmingham, and investigation of the books proved Dr. Lawrence to be mistaken, for there were, May 1st, 135 license holders in the city and 111 in the country—a total of 246 revenue licenses issued by the collector for the United States in the county of Jefferson. The number given in the city proper, of course, includes drug stores and wholesale houses. Later, on July 15th, Sheriff Higdon, of Jefferson County, issued, under a State law, a list of 'retail liquor dealers of Jefferson County,' showing 441 licenses issued by the Federal government.....

"The situation in most prohibition States, counties and cities, in so far as the enforcement is concerned, is simply this: The violator must be caught 'with the goods on.' Now, every bar keeper in Birmingham knows to whom to sell his whiskey and beer; he knows (or he wouldn't have his job) every prohibitionist, every Anti-Saloon Leaguer or sympathizer, none of whom could for love or money get a drink at any of the saloons. The regular patron will not testify against the open bars, so there is only one other way to catch the violator, namely, by an 'imported detective,' or so-called 'snitch' or stool-pigeon. No jury in the South has yet been known to accept the testimony of such men. So the Anti-Saloon League, through its State superintendent, heretofore referred to,

drew up for the writer what he and his people hoped would permit the enforcement of the law—something similar to the code in the State of Mississippi, denying that liquor is property. Here is what Dr. Lawrence wrote out, April 29th, last, as being in line with what was going to be offered at an extra session of the Alabama Legislature (to be called, July 27th, by Governor B. B. Comer):

“That it shall be unlawful to store or have on the premises owned, leased or occupied by any club or corporation or any pool room, ware house, store room, stable or any place of public resort, any alcoholic, spirituous, vinous or malt liquors, intoxicating biters or beverages by whatsoever name called, which, if drunk to excess, will produce intoxication; and the finding of such intoxicating liquors or beverages upon any such premises as are named in this section shall be *prima facie* evidence of the violation of the provisions of this act.’ In other words, the possession of liquors, etc., at certain places would be *prima facie* evidence of violation of prohibition law.’

“The prohibitionists had been drafting the above section, smoothing it or something like it, to present to the extra session, July 27th, when, like a thunderstroke out of a clear sky, came the decision from the Supreme Court of Alabama, June 30th, that a man in Alabama may own and keep as much liquor about his place as he chooses, provided it is legally secured. The opinion was by Mr. Justice Sayre, and reiterates the principle that intoxicating liquors are property and may be owned and held as such under the constitution of the State of Alabama. That decision will, of course, make the storage of liquor legal, and as it is a constitutional ruling, it is not possible to see what the Legislature can do to break up the storage of liquor in Alabama.

“There are from a hundred to a hundred and fifty so-called locker clubs in the city of Birmingham. In the majority of them the shelves of lockers are kept only for show, liquor being served exactly as in the open bars down stairs, all over the city. It costs about twenty-five cents to join a locker club; sometimes nothing at all. A friend of the writer, arriving at his office earlier than usual, found his young under clerk shuffling on his desk what the employer thought was a deck of cards. The boy was admonished not only for carrying around a deck of cards in his pocket, but for having displayed them in a business office at eight-thirty A.M. ‘Goodness gracious, Mr. A,’ said the boy, ‘this is not a deck of playing cards!’

They are my membership cards to the locker clubs I belong to.' Mr. A. took them, counted them, and found the boy was a bona fide member of thirty-two locker clubs in Birmingham. There are hundreds of boys like that one in the 'Pittsburgh of the South.'

"In the month of April, 1909 (thirty days), the coroner of Jefferson County, Alabama, was called upon to investigate forty violent deaths and homicides. The worst record in the history of Jefferson County. During the twenty-four hours of June 29th, there were reported to the coroner of Jefferson County nine violent deaths. Now, no one would say that prohibition had anything to do with those deaths; but if the county was under high license, would we not possibly have heard that whiskey had something to do with them?.....

"Here is about the way the Birmingham press reports the trials for violations of the prohibition law. From the *Ledger*, June 24th:

"The juries in the first division of the criminal court seem unable to reach a verdict in any of the prohibition cases which have been submitted to them this week. Wednesday mistrials were entered in two prohibition cases. The juries in the cases against Frank Kreilhaus and Jack Delamus were unable to agree upon a verdict. The juries reported shortly after retiring that they were hopelessly divided on the issues.'

"The owner of an open bar in Birmingham said to the writer, 'I don't wish anything better than this. No more 'wet' times for me. I am simply saving fifteen hundred dollars per year—a hundred and twenty-five dollars per thirty days, me boy. Can you beat that?' The only two places that the writer saw in Birmingham where the prohibition law is absolutely upheld were the two leading social clubs—the Southern Club and the Country Club. There are lockers there, of course, individual, but the member must have his key to the locker—or 'nothing doing.'

"In a nutshell, then, there has been practically no change in the drinking arrangements, bars, saloons and so on in Alabama since the law went into effect, January 1st, 1908. When a violator is caught, the juries will not convict, nine times out of ten. In the meantime, Dr. Lawrence, the leader of the Anti-Saloon League, in his publication vociferously calls attention to the improvement of the city of Birmingham's finances. On the other hand, the mayor Frank P. O'Brien, on May 19th last, said in a letter to the board

of aldermen, that the city had no money, no funds on hand, except a temporary loan, and asked the aldermen to arrange another loan. Thus far in the year 1909 the city of Birmingham has borrowed, under prohibition, \$250,000 'to tide the city over until January 1st, 1910,' when collections, taxes, etc., will be made and paid.

"The reign or activity of prohibition in Birmingham and its environs may now be correctly divided into three dynasties or conditions, namely:

"First, the local option election in Jefferson County, Birmingham county seat, October 28th, 1907, at which the county and city went 'dry' by a good majority. (1) The closing of the saloons for the nonce. (2) The re-opening of all the saloons early in 1908 and through 1909, the establishment and operation of so-called 'locker clubs'—in a word, the absolute defiance of prohibition as it was intended, first by the local option election; later, by the November 1908, extra-session Legislature which passed the Carmichael State-wide prohibition law.

"Second, the assembling of another extra session of the Legislature July 27th—August 24th, 1909. This body passed nine additional prohibition State-wide bills and directed the Governor to call a 'constitutional election' for November 29th, 1909, by which to place prohibition in the organic law of Alabama. The nine prohibition bills passed July—August, 1909, were the most drastic ever enacted by any Legislature in the Union. One act, the Fuller bill, containing over twelve thousand words, made it a misdemeanor to dally in any manner with 'demon rum.' Some of the strongest friends of prohibition in Alabama, those who had worked for, also voted for, State-wide enactment, predicted what the constitutional election of November 29th proved—that the effort of the Anti-Saloon League to force a hitherto untried law into the constitution of Alabama was, to say the least, a most deplorable tactical error, from the standpoint of the prohibitionist. Under statutory prohibition, the league and its friends had accomplished everything that any sincere advocate of its methods or expectations could possibly have wished.

"Third, the call issued by Governor B. B. Comer for the constitutional election, November 29th, 1909, and the overwhelming defeat of the proposed amendment to the constitution.

"Both United States Senators and five out of the nine Congressmen were against the amendment. The State of Alabama was

torn from one end to the other, the result being that on November 29th the amendment was rejected by a majority—out of a total vote of some 95,000 to 100,000—of some 24,000 votes. Every congressional district, at this writing, is reported against the amendment. Of the sixty-seven counties in Alabama, it is reported by one side, the antis carried sixty-four; by others, only sixty-one counties.

"In Birmingham, the night of November 29th, the citizens went wild. The whole business section of the city was packed and jammed with thousands of people, who stood watching the election returns flashed by the *Age-Herald* for five hours, then went home unwillingly. When the majority against the amendment in Jefferson County grew larger and larger, the crowds grew wilder and wilder in their enthusiasm. As the enthusiasm increased, parties were formed to search for the leaders who had been prominent in the campaign against the amendment. When found, they were placed in automobiles and forced to speak. Few such crowds have ever gathered on the streets of Birmingham, even for presidential elections. The majority in Jefferson County against the amendment was 1,648; later returns may make that majority 2,000. Montgomery County, containing the capital city, Montgomery, gave a majority of 1,700 against the amendment; while Mobile outdid herself with a majority of 3,000 against the amendment."

"This brings the story of Prohibition in Alabama up to the present day. The facts are given for what they are worth, and my readers may draw their own conclusions. I have tried to lean neither to one side nor to the other. In significant problems of this kind, the vital force is the truth."

PROHIBITION IN KANSAS.—It is a curious fact that although the State of Kansas has grappled with the question of prohibition since 1867 not a single thorough-going study has been made of the history of the Kansas experiment. Perhaps one reason for this is that until about three years ago no continuous determined effort had been made to enforce the law, at least in the urban centers. In other words, violation of the law was so notoriously checked and open that it hardly seemed worth while to make any special inquiry about it. But since Kansas began to take its constitutional provision in regard to the sale of liquor ser-

iously, considerable attention has been paid in the public prints to the question of enforcement and its effects. So far, however, most of the articles written have been of the reportorial order and have not attempted to probe the situation to the bottom.

Pearson's Magazine has paid special attention to Kansas conditions. Thus in the number for January, 1910, Mr. Harrison L. Beach undertakes to demonstrate "What Prohibition Means To Kansas."

He too cannot be said to do more than skim the surface of things. He undertakes to judge the prohibitory liquor law by what he calls "three years of facts"; yet he reaches the conclusion that the law, where properly enforced, is a moral benefit and generally speaking a business asset. Thus he ignores completely the influence of the many preceding years during which prohibition was practically nullified, the moral injury to a community from condoning for years and years the most unblushing violation of its fundamental law. Is it likely that the moral benefit of three years' attempted enforcement can offset the demoralization which inevitably resulted from the earlier and much longer non-enforcement? Upon this question Mr. Beach is strangely silent. Although he asserts that the law has been enforced for three years he omits to produce evidence showing the actual condition of enforcement. Of course, it is understood that the former open selling of liquor does not continue, but how about the extent and the methods of the illicit traffic? Some slight reference is made to it, but the treatment of this phase of the situation is very inconclusive.

On the other hand, Mr. Beach pays special attention to the influence of enforced prohibition upon business affairs, but only to reach negative conclusions. That is, he does not find positive proof of any relation between the present prosperity of Kansas and the condition of enforcement, but assumes that material progress has not been retarded during the past three years.

There is a strange inconsistency between the statement repeatedly made by the author that enormous quantities of alcoholic liquor are sold and consumed in Kansas—a matter which leaders of the prohibition party freely admit—and the attempt to show that prohibition is generally a business asset. The contention of the prohibitionists is, of course, that it is not the public selling of liquor, but its consumption which does the damage. Now if there

is no evidence that consumption has actually decreased under prohibition, why does it not become ridiculous to attempt to connect any business prosperity with enforcement of the law against public selling? Or, to put the matter differently, why claim that prohibition actually answers to its name so long as it is admitted that alcoholic liquors are sold in Kansas in enormous quantities, and that enforcement has resulted in decreasing the sale of drinks containing a small amount of alcohol far more than it has stopped the sale of whiskey, and that the stuff sold is of a vile character? So long as this is admitted by the author, it seems almost puerile to attempt to contend that because the public selling of liquor has ceased more or less, therefore prohibition must be a moral benefit. Surely, if there be any intimate connection between conditions of crime, poverty, etc., and the liquor traffic, it must mean that poverty and crime are produced by the consumption of liquor, regardless of how it is sold.

In short, Mr. Beach's article is not only negative, but quite inconsistent in its reasoning. He has not proved what prohibition means to Kansas. In order to furnish such proof it would be necessary to go far deeper into conditions than he attempts. Moreover, the crudity of the study crops out in various places. Not only is there a singular neglect of reference to the effect of the non-enforcement and of effort to measure the extent of the illicit traffic at the present time, but there is an apparent willingness to accept as evidence what most people would regard as *ex parte* evidence. It may suffice to mention a single example. When it comes to the question of a decrease in the number of evil resorts under enforced prohibition, the author is quite ready to accept written statements from chiefs of police in a number of cities showing that such resorts have decreased. Is it reasonable to suppose that chiefs of police under present political conditions could make a different admission? But the reader may judge for himself the merits of the article from the following extracts:

"For three years it has been given a chance to show what of good or ill it can accomplish, and opinions differ widely as to its merits and defects. The argument is invariably waged on both sides with persistent vehemence, often with irritating intolerance and sometimes with reckless mendacity.

"The prohibitory liquor law is still on trial. The final returns are not yet tabulated. The law, simple and direct, relating to a

single article of commerce—alcoholic drink—reaches out to many things. It involves questions of personal privilege and constitutional rights. It bears strongly upon private and public morality, and has much to do with official integrity. It is a heavy factor in politics and in the business world and neither courts nor judges are outside its sphere of influence.....

“The prohibitory liquor law has behind it but three years of facts by which it can be legitimately judged; and judging by these, it is difficult for an impartial student or investigator to reach any conclusion other than that the law, when and where it is properly enforced, is a moral benefit, and generally speaking a business asset.....

“There are today in the Democratic and Republican parties many thousands of men who believe as heartily in the wisdom of abolishing the sale of alcohol as does any member of the prohibition party. These men, however, in declaring their political faith, will not stand upon a platform which they believe to be composed of a single plank, nor will they fight political battles for one issue when a dozen or more are pressing for settlement.

“These men have realized what so many of the Prohibition party have never understood and what some of them are incapable of learning, that no permanent victory over a human appetite as old almost as mankind itself can be gained through legislation alone. It is only by proving that the banishment of alcohol is a social, hygienic and commercial advantage that the great majority of the Anglo-Saxon race can be brought to stand firmly for it.

“Men will approve, for the good of the community, a measure which they will not accept for their private and individual guidance. An illustration of this can be found in the conduct of a fair percentage of the members of different Kansas legislatures. These men, who have consistently and conscientiously battled for every prohibition amendment that has been enacted in Kansas during their terms of office, will, when their legislatures adjourn over Saturday and Sunday, go down to Kansas City, Missouri, and become gloriously drunk. These politicians know that prohibition is good for the State of Kansas, but they decline to accept it for themselves.

“The Prohibition party, in common with every political organization that has appeared in history, has committed many blunders. Of these none has been greater than the adoption and retention of the name ‘Prohibition.’ This word has raised up enemies against it and lessened the number of its friends. The

very name of the party has been a handicap of its progress. Men dislike to be 'prohibited' from anything, and most of all do they dislike to be 'prohibited' from reaching and carrying into effect their own conclusions as to what is proper for them to eat and drink. Even as they dislike to be 'prohibited,' so have they strong and aggressive disapproval of the men who advocate such prohibition. It is this resentment against dictation that has excited so many men against this party, has rendered others indifferent to its progress and its fate, and has driven them all far from its touch.

"The policy of the liquor sellers has indeed in most respects been destitute of diplomacy, resource and capacity. If they have been crippled in the fight their injuries have come as much through their own blunders as through the ability of their prohibition opponents.

"The statement has been made that the prohibition law should be judged only by three years of facts. This is because it has been enforced as other laws are enforced, for that length of time only. The State of Kansas affords today the best example of the influence of prohibition because it is there that the law has been maintained and its effects are best determined.

"Turning first to the business world, it is evidently unjust to credit the prohibition law with all prosperity or to charge it with all depression. The extreme advocates of prohibition make sweeping claims for its influence. They cheerfully accept all prosperity in commercial relations, the size of the crops, and even the dews and rains of Heaven, as being directly due to the prohibition law. The corresponding elements among the liquor people reason as radically in the opposite direction.

"There can be, however, no doubt whatever that the people of Kansas are today more prosperous than at any time in the history of the State. Even the liquor men themselves declare that trade is prosperous and that more alcohol is sold than ever before. They assert that the prohibition law has in no way killed off their business. This statement may well be doubted, however, as the liquor men are constantly striving to restore former conditions. If their business had become more satisfactory since the enforcement of the law, it would naturally be to their interest to uphold rather than to attack prohibition. They do not, however, reason in this manner. They believe that although, according to their statement, the law has increased their business, they would be better off without it.

"Business throughout the United States has greatly improved during the last three years, and Kansas has received its share of prosperity. This would have resulted no matter what had been the attitude on the question of prohibition, and it would require a most elaborate statistical investigation to determine the exact effect prohibition has played. No specific figures have been prepared in any quarter, and they are nowhere available. While it is not possible to ascribe to the prohibition law, or to any other law, a fixed percentage of influence in this condition, it is fair to assume that prohibition has not retarded the material progress of the State, even though it can not be positively shown by figures that it has been a strong factor in its advancement.

"There can be no denial of the fact that enormous quantities of alcoholic liquors are sold and consumed in Kansas, and the average quality of the liquor now offered is decidedly inferior to that handled by the regulation saloon before the passage of the prohibitory law. The law does not prevent a resident of Kansas from buying whiskey and beer outside the State and importing it for his own use. It is, however, unlawful for him to re-sell the goods. This domestic or 'family' trade is naturally large, as there are many thousands of people in the State who do not believe in absolute prohibition, and they can obtain their supplies in no other manner. The prohibitory law, it must be remembered, applies only to the public sale of liquor within the State.....

"In addition to the whiskey and beer imported in this manner, there are constantly passing up and down, and in and out of the State, men who carry with them a small amount of whiskey which they peddle at tremendous prices. These are generally termed 'boot-leggers,' because of the unappetizing fact that many of them in the past carried, or were reputed to carry, their supplies inside their boot-leg. To a man of cleanly habits, this practice, granting that it was ever practiced, would seem to be a strong aid to the prohibition movement, but it has not worked that way. The 'boot-legger,' no matter where his whiskey comes from, and despite the often wretched quality of the drink he offers, has little difficulty in finding customers. When the police find him, his troubles begin and his profits end.

"Much of the whiskey sold in this way is vile, and some of it is deadly. At the same time, the profits are so great that men have allowed cars of intoxicants purchased in their names to stand in-

definitely on the tracks while they pay a demurrage charge of \$1.00 per day until they have disposed of the goods.

"Of a generally higher grade than the 'boot-legger' stuff is 'mail-order' whiskey. This is sent by mail-order houses located in all parts of the United States. Some of this is passable in quality, but much of it is not. Good bourbon or rye whiskey generally retails at from \$1.25 to \$1.50 per quart bottle. Some mail-order houses that do an enormous business throughout Kansas will deliver to any address in the State, express charges prepaid, four quarts of whiskey for \$3.20. First class whiskey cannot be sold for that figure with extensive profit to its maker. These mail-order houses, however, are growing rich on the business.

"The prohibition law has decreased the sales of such drinks as contain a small percentage of alcohol far more than it has stopped the sale of whiskey. This is because beer and light wines are more bulky to transport, and the carrying charges are greater. Moreover, a 'boot-legger' may carry two hundred drinks of whiskey on his person with a corresponding chance of profit, where he could carry only two drinks of beer.

"Leaders of the Prohibition party in Kansas freely admit that alcoholic drinks are consumed to an enormous extent throughout the State. They claim, however, with a strong argument, that business of all kinds, save the public selling of alcohol, has increased under the prohibition law. Furthermore, that excellent commercial barometer, the amount of postal receipts, shows a decided increase during the last three years. The liquor men themselves claim they are selling more than ever, and there is nobody therefore, to make an assertion against the fact that Kansas has prospered commercially.

"The statement that laboring men have increased their individual deposits and the number of their savings accounts was made by several of the largest bankers in the State. Another banker, however, whose business is as heavy as any of the others, denied it.....

"In and about the city of Leavenworth, Kansas, which has not been friendly to prohibition, and which largely deprecates its existence today, there are about one thousand miners, whose average daily earnings are \$4.00. These miners are steadily increasing their bank deposits, and have done so since the prohibition law was enforced. This statement may be denied by some of

the bankers of Leavenworth because of business reasons, for prohibition has many enemies in the city. Nevertheless, the facts are as have been given. Moreover, these miners, during the period in which they have increased their bank deposits, have spent more money on their families in the aggregate than they were ever known to spend before the enforcement of the prohibition law.

"On the other side of the question, one of the largest merchants in Leavenworth gives his evidence. He is prominent in the government of the city, which is managed by a board of commissioners, and his business is as extensive as that of any establishment in its particular line in the State. This man declares positively that prohibition has not increased business, has in no way improved conditions, has not rendered collections more easy, and, generally speaking, has exerted no beneficial effects. He admitted, however, that business was no worse since the enforcement of the prohibition law.

"That evil resorts have generally decreased in number is in accordance with the written statements of the chiefs of police in Topeka, Leavenworth, Atchison, Pittsburg, Wichita, Emporia, Manhattan, Salina, Junction City, Newton, Hutchinson, Dodge City, Hiawatha, Arkansas City, Marion, Paola, Parsons and Winfield.

"The liquor dealers and other opponents of prohibition claim that the abolition of the saloons by depriving the cities of funds formerly received from license and fines has caused the burden of taxation to become heavier. It is certain that taxes have steadily increased since the enforcement of the prohibition law, but it is equally certain that they were also increasing while the law was practically ignored.

"In 1880 the taxes per capita were \$5.72; in 1885, \$7.01; in 1899, \$9.17; in 1895, \$9.76; in 1901, \$9.54; in 1904, \$10.46; in 1905, \$11.57; in 1906, the year in which the enforcement of prohibition began, \$11.47; in 1907, \$12.41. Complete figures for the per capita tax of 1908 are not yet available.

"The percentage of increase in the various kinds of taxes during 1908, the second year of actual prohibition, over 1905, the last year before the prohibitory law was enforced, was as follows:

	Decrease.	Increase.
State tax.....	5- $\frac{1}{2}$	..
County tax.....	..	9
City tax.....	..	38
Township tax.....	..	5- $\frac{1}{2}$
School tax.....	..	31

"Between 1904 and 1905, the last two years of the tolerated saloon, the percentage of increase in taxes were as follows:

State tax.....	12
County tax.....	9
City tax.....	8
Township tax.....	25
School tax.....	8

"The following table shows the percentage of increase in 1907 as compared with 1901, and affords an illustration of the manner in which taxes have increased both under the saloon and under prohibition:

State tax.....	37
County tax.....	32
City tax.....	65
Township tax.....	61
School tax.....	50

"The relations between the saloon and the municipality largely belong in that section of this story devoted to the effect of the prohibitory law on crime. They are discussed briefly here to show the part they have played in the increase of taxation.

"In the days before the prohibitory law was generally enforced, the saloons remaining open in violation of the law were subjected, at more or less regular intervals, to a fine. This constituted to all intents and purposes a license system, and the receipts therefrom were turned in—or a portion of them was turned in—to the city treasury. This fund, in the course of a year, assumed very considerable proportions, and when the cities were suddenly deprived of its use, a readjustment of conditions became absolutely necessary. The experience of the cities of Leavenworth and Wichita may be given as illustrations.

"In Leavenworth, for several years before the enforcement of the prohibition law, the receipts of the city government from the liquor traffic were approximately \$90,000 per annum. During these years the amount of money annually contributed by the taxpayers in addition to that obtained from the liquor traffic was approximately \$70,000. Last year receipts from the saloons having been wiped out, the taxpayers were called upon to pay for city purposes \$131,000 and prominent men in the city declare that in 1909 the amount will be still larger. The assessment rate on stocks

of merchandise is now about two and one-half times as great as before the enforcement of the prohibition law, while the rate on real estate is approximately one-third less.

"Wichita received at one time a substantial revenue from saloons, and has felt its loss. This city is suffering so keenly from growing pains and has undertaken such extensive improvements that an adequate income for municipal needs has become an absorbing question. For some time it was planned to issue city script, and later a tax to become effective January 1, 1910, was placed on 'occupation.' From hack-drivers to wholesale merchants, every man must pay a tax upon his calling. The liquor men declare that these things have been brought about by the loss of revenue through prohibition. The prohibitionists claim that the city has prospered so greatly since the saloons were wiped out that it has temporarily outgrown its immediate means of income.

"One of the leading financial men of Wichita, and there is no man in Kansas who has closer knowledge of money matters than he, declared that the abolishment of the saloons was a fiscal mistake, and that it will cost dearly when all the returns are in. He regards conditions in the State as unduly inflated, and predicts a day of reckoning within three years.

"The taxes of 1909, in Wichita, will probably be fifty per cent. higher than in 1908.

"It must be remembered, however, that if prohibition has decreased revenue, it has also lessened expenses, by decreasing the number of criminal cases and, naturally, the costs of prosecution. To draw money from saloons and pay it out for court expenses creates no profit. It makes business brisk, but it is productive of little actual benefit.

"Until statistics are available showing for what purposes and for what public improvement the tax funds have been utilized, it is almost impossible to figure whether prohibition as applied to municipal income has been a matter of profit or loss in dollars and cents."

A FARCICAL INQUIRY.

In *Pearson's Magazine* for March, 1910, Mr. Harrison L. Beach continues to elucidate "What Prohibition Means to Kansas," this time paying special attention to the "effect of prohibition on crime, charity and business property." The criticism made of

his former article is even more pertinent when applied to this second instalment. Indeed, the last article is something of a curiosity, and, at first blush one might be tempted to ask whether it is intended to be taken seriously or as a satire on statistical evidence. A brief examination of the principal thesis of this study will amply justify his remarks.

The writer starts out boldly with this assertion: "That prohibition has decreased crime in Kansas is shown by the written statements of the chiefs of police of the cities mentioned in the following list." What are these written statements? An ordinary investigator would have found it necessary to examine and set forth the statistics relating to crime in different Kansas cities, but Mr. Beach contented himself by propounding this question to chiefs of police: "By what percentages have crime and disorder increased or decreased since the enforcement of the prohibition law?" And the answers to them constitute his principal evidence.

It is assuming a good deal to say that chiefs of police are capable of answering such a question. It is also a somewhat daring assumption that chiefs of police were likely to render replies in absolute conformity to facts. Obviously, they have much to gain at the present time by making a bold showing so far as crime conditions are concerned. These officials, who no doubt are anxious to retain their positions, could hardly be expected to confess that in spite of their endeavors to enforce prohibition, crime has increased. The question was framed in such a way as to invite estimates rather than statements of facts. It should also be noted that the question as put did not call for any differentiation as to classes of crime, so that the reader is left in the dark in regard to the meaning of the term.

The answers returned by the chiefs of police are just what one might expect. They arrive at such absolutely divergent percentages of decrease in crime that they brand themselves as absolutely untrustworthy, not to say ridiculous.

Mr. Beach produces answers from chiefs of police in eighteen cities representing every section of the State. Here are some of the results: The alleged decrease in crime is shown to vary from 25 per cent. in Hiawatha to 100 per cent. in Paola! It is charitable to suppose that the official of Paola does not understand what a decrease in crime of 100 per cent. means. To be sure, Paola is a small place, but has not a single criminal offence occurred within

its borders in three years? Three cities, namely, Arkansas City, Atchison, Leavenworth, answer that crime has decreased 50 per cent. In Emporia, the decrease amounted to "at least 60 per cent." Dodge City, Topeka, Parsons, Junction City, and Winfield claim variously that crime has decreased from 70 to 80 per cent. The chief of police of Newton is still bolder and states that crime has decreased 90 per cent. The official of Pittsburgh does not definitely commit himself, but produces some comparative figures which are impossible of general analysis. The sheriff of Marion County, who supplies the information for the city of Marion, contents himself with the statement that during the last ten years the jail was "pretty well filled," while at the time the information was gathered, it contained but one prisoner, an exceedingly lucid and conclusive statement. The chief of police of Wichita refuses to make "an exact estimate of the percentages" (note the word "estimate"), but says that there is much less crime and disorder. The chief of police of Hutchinson does not deal with crime as a whole, but merely with "drunks" and violation of the liquor law, and therefore does not answer the question. The chief of police of Manhattan refrains from giving figures, but furnishes this statement: "There has been a material change for the better since the enforcement of the prohibition law." For Salina also no figures are given, but it is stated "crime and disorder have decreased."

The answers summarized above are exactly what one might expect from the question put by Mr. Beach. It requires considerable hardihood to place such answers before the public as evidence of the results of the enforcement of prohibition. A serious-minded student of the crime question would not for a moment consider such loose and obviously contradictory statements obtained from chiefs of police as valid proof. He would at least feel it incumbent to produce the raw material from which the answers were made up.

Mr. Beach is hardly any more happy when he attempts to "analyze in detail the increase or decrease" in a city especially selected for that purpose and not included among those mentioned above. The city chosen for this "experiment," as he calls it, was Coffeyville. One might naturally expect from the announcement of an analysis in detail that the author would have massed and classified figures from court dockets and other sources in such a manner that their meaning could readily be grasped. But no,

he contents himself with adducing from police court records the amount of fines imposed in the last five months prior to the enforcement of the prohibition law, which he then contrasts with the amount of fines imposed during several months under enforcement. It looks upon the surface as if the amount of fines imposed prior to the enforcement of prohibition was much greater than that imposed after enforcement. Indeed, during the five months of 1907, the fines imposed in the police court did not fall below \$1,000 per month, while later under enforcement they only in one instance exceeded \$587 per month and fell as low as \$220 per month. But Mr. Beach omits to offer some very important explanations. It was customary in Kansas, as it has been customary elsewhere at times when saloons openly defied the law, to subject them to periodical fines, which really were in lieu of saloon taxes or fees such as are paid in other States. Do the amount of fines imposed during the five months of 1907 (non-enforcement) include fines imposed upon the illicit dealers? If so, it becomes absurd to compare the bare amount of fines imposed at that time with the amount of fines imposed after this method of enriching the city treasury had ceased.

Another thing which the author neglects to state is how many individual offenders are represented by these fine amounts. If one is to obtain the slightest clue to the comparative extent of criminality from the periods contrasted, it is absolutely essential to know this. To be sure, one may conclude in a general way from the larger amount of fines that more criminal offences were tried before the police court, but it might not be true, and as to the nature of the offences represented by the fines one is left completely in the dark. In short, so far as proving anything these statements of the amount of fines mean nothing, and may be and probably are thoroughly and mischievously misleading.

The author remarks that crime and disorder are in reality less in Coffeyville than the figures would seem to indicate (referring particularly to the fine amounts shown during the months of enforcement.)

In the section in which the author undertakes to show how the cost of crime has been reduced in Coffeyville, he explicitly admits that the amount of fines referred to above includes the fines imposed upon saloon keepers and dives. He arrives at the sum of \$9,000 as the income to the "credit" of crime for one year.

Of course, he omits to state what year is referred to. Then he contrasts this credit amount with the debit of crime—the cost of prosecution, transporting and feeding prisoners, police salaries, etc., with the result that he discovers a “loss on crime as an investment for one year” of \$940.

To find out just what these figures mean requires divination rather than statistical aptitude. One must infer from his statement that under enforcement there is much less money to be placed to the credit of crime from fines imposed upon saloon keepers and dive keepers. It has been the habit in Kansas, according to Mr. Beach, to assess fines upon saloon keepers about once a month to the extent of from \$50 to \$100. Under enforcement there is presumably no such income, and the amount of fines imposed for other offences than those of illicit selling are probably small in the individual case. Yet the expense of transporting and feeding prisoners, maintaining police, etc., goes on. If Mr. Beach wishes to show the “reduced cost of crime” he should contrast the credit and debit sides also under prohibition. This he neglects to do. Upon his own showing it is ridiculous to compare the fines imposed on saloon keepers and others under a regular system of taxation with the fines imposed for ordinary offences which are intended as a penalty and not for revenue.

In proof of the statement “that the prohibition law has exerted a moderating effect upon the criminal tendency in the State at large,” Mr. Beach produces some figures showing that the number of Kansas born convicts is steadily decreasing. He finds that in 1903 only 59 of the convicts committed to the State penitentiary were native born. In 1904, the number was 51; in 1905, 48; in 1906, 45; in 1907, 47; in 1908, 37. He thereupon says: “The representation of Kansas born men and women in the State penitentiary has, therefore, declined from 22 per cent. in 1903 to 12 per cent. in 1908, which is two years after the commencement of the strict enforcement of the prohibition law.”

Aside from the fact that the variation in numbers of Kansas born convicts sent to the State penitentiary is so small as to be insignificant, the facts show that this decline in numbers was just as marked during the years 1903 to 1906 inclusive, as in the years under enforced prohibition. How then is it possible to credit this decline in the numbers of Kansas born convicts sent to the State penitentiary to the enforcement of prohibition? The only valid

reason for adducing the figures would have been to show that prohibition has nothing to do with the case.

It may be remarked in passing that the total number of Kansas convicts in the State penitentiary on January 1, 1908, was 819. In Massachusetts, with a population almost twice as large as that of Kansas, there were 817 inmates of the State prison at the end of September, 1908. Certainly the comparison is not especially flattering to Kansas. The author does not refer to the inmates of county jails except to say that many counties in the State are now sending prisoners to the penitentiary for offences which in former years were practically ignored. How about prisoners in county jails who are sentenced for offences that at no time have been ignored? May not the larger numbers in county jails account for the alleged decrease in the population of the State penitentiary? On July 1, 1909, there were no less than 448 prisoners in county jails under sentence. This was at a time, it should be noted, when prohibition was enforced.

Turning to Charity, Mr. Beach finds that the data concerning the number of inmates in charitable institutions are neither sufficient nor satisfactory. In 1905 (January 1) there were, according to the Report of the United States Census, 786 inmates of almshouses in the State. It would be interesting to know where the author got his estimate of 1,335 such inmates for the year 1904. In 1909 the number of these inmates had declined to 723. Meanwhile, the different State charitable institutions had rapidly increased their population. To take only one example, the number of insane, including those in the hospital for epileptics was on January 1, 1905, 2,309, but three years later had increased to 2,802. It can hardly be said that this indicates a "stationary" condition of things. Without going into details it may be remarked that the diminution in the population of Kansas' almshouses, is no doubt due to the increasing habit of sending persons formerly kept in county institutions, to those supported by the State.

Mr. Beach devotes considerable space to show that real estate has increased greatly in value in Kansas since the period of enforcement began. He adds very thoughtfully that this of course "cannot entirely be credited to the prohibition of the sale of liquor." It would have been more correct to say that this condition has nothing whatsoever to do with prohibition, and is dependent upon a

variety of economic factors, and that, moreover, equal increases in value will be found in States under license. Moreover, a statement of the values of real estate is a very uncertain thing, depending as it does to a large extent on what amounts are to be raised for purposes of taxation.

PROHIBITION IN OKLAHOMA.—Mr. Beach's article to which reference has been made above, closes with some paragraphs on prohibition in Oklahoma. The quotations on preceding pages from Mr. Beach's writings make it fairly evident he is not likely to exaggerate any statement relating to the non-enforcement of prohibition, therefore, his descriptions of Oklahoma conditions may be taken at their face value. Even then, they probably represent things quite as bad as they are. Particular attention should be paid to what Mr. Beach says about the prosperity in Oklahoma and its non-dependence upon the liquor traffic. It is somewhat in conflict with his remarks on the same question in the case of Kansas.

"Oklahoma is now in the position occupied by Kansas before the enforcement of the prohibition law in that State. It possesses the statute, but the people, especially those residing in the cities, are indifferent, or more than indifferent, to the fate of the law. The rural population favors it, but the residents of the cities do not. In Oklahoma City, for example, there is no difficulty in obtaining all the whiskey or beer that is wanted, at any hour of the day or night. In the leading hotels, beer, when ordered in the cafés, is served in a coffee pot, and no guest at any time experiences the slightest difficulty in obtaining such quantities of any particular beer he may wish sent to his room.

"It is an open secret—or rather, no secret whatever—that 'joints' are freely run in Oklahoma City, and in other leading communities of the State, despite the existence of the prohibition law. Some of them, moreover, do a large business each year. Recently, a man residing in Sapulpa testified before the State Supreme Court that he ran but one of eighteen 'joints' in that city, and that his monthly sales amounted to more than \$5,000.

"In Oklahoma City the number is greatly in excess of eighteen, some estimates running as high as three hundred, and some as low as two hundred, which is probably nearer the truth. It is commonly reported and believed that each one of these places

pays \$4 per day for its right to live. This money naturally goes through the hands of the police and the politicians.

"Because of the comparatively lax enforcement of the law, Oklahoma is, at present, a paradise for the 'boot-legger.' He is not prosecuted as rigidly as in Kansas, and, naturally, he thrives. A tremendous business is done in this way, and also in 'mail-order whiskey.' Some of the stuff sold in this manner is good, and some of it is vile. In many places throughout the State, some whiskey can be bought at the rate of sixteen quarts for \$5.80.

"The fight for and against prohibition, however fiercely it may have been waged, has been able to do nothing to retard the marvelous growth of the youngest member of the Union. In Oklahoma City, building permits during the summer of 1909 were increasing at the rate of nearly 900 per cent. as compared to the same months of 1908. Bank clearings were larger by 68 per cent., postal receipts by more than 37 per cent., and real estate transfers by more than 60 per cent. Similar conditions are reported from all over the State, and it is clearly evident that the failure to enforce the prohibition law has in no way injured the prosperity of the community. It is too young and vigorous a commonwealth to be halted either by the enforcement or non-enforcement of any particular statute.

"In this connection may be pointed out the defective manner in which some of the more zealous Oklahoma prohibitionists reason as to cause and effect. They claim that the foregoing figures prove conclusively that prohibition is of immense benefit to a city or a State. They utterly ignore the fact that the prohibition law in Oklahoma is not enforced, comparatively speaking, and, therefore, its effect amounts to practically nothing."

PROHIBITION IN NORTH DAKOTA.—Although prohibition is as old as the State, the question of its operation has received scant attention from students and publicists. Perhaps a reason for this has been that until recent years North Dakota was so commonly known to be a "wide-open" State that it seemed useless to inquire about prohibition. Since 1906, however, some effort has been made at enforcement. How it works is set forth in *Leslie's Weekly* of March 3, 1910, by Mr. Robert D. Heinl, who writes under the caption, "How North Dakota Seeks to Enforce Prohibition." The editors of *Leslie's* say, "We are amazed at the revelations....

Mr. Heinl has made an honest and impartial investigation. It was difficult to obtain unbiased opinions on such a mooted question. There was risk visiting the illicit liquor rooms and low places where the traffic is conducted. Mr. Heinl, an old New York newspaper man, has raided with Jerome, and scouted close to the highbinders in Chinatown. Never has he had more interesting experiences than blind-pig hunting in North Dakota." Some of these experiences and observations are told below:"

".....Are there no adequate laws? Yes, probably as rigid statutes regarding prohibition as any in existence. Article 20 of the constitution, adopted when North Dakota was admitted to Statehood twenty years ago, provides that no person or corporation shall manufacture within the State for sale or gift any intoxicating liquors, and no person or corporation shall import any of the same for sale, or keep or sell or offer the same for gift, barter or trade as a beverage. It has been supplemented by legislation of a drastic character contemplating its enforcement. At almost every session of the Legislature, since constitutional prohibition went into effect, some piece of legislation has been passed for the purpose of enforcing the article. The penalty for violating the constitutional provision is a misdemeanor punishable by a fine of not more than \$1,000 and imprisonment in the county jail for not more than one year. The second offense is a felony, punishable by imprisonment in the penitentiary not exceeding two years, and not less than one year. Druggists' permits must be granted by district judges. The druggist must keep a book open to the public, in which shall be recorded the sales of intoxicating liquors, showing the name and residence of the purchaser, and the purposes for which they were sold. Generally speaking, the right of search and seizure is given.....

"The holding of a license from the government in North Dakota is deemed prima facie evidence that the person is keeping and selling intoxicating liquors contrary to the law. Registration and publication in the newspapers are required of those who take out these licenses. If you apply for liquor to a druggist, and in making the required affidavit swear to an untruth, you may be prosecuted for perjury. The druggist is subject to the penalties of the prohibitory act for unlawful sale. All persons may be committed to jail until the fine and costs are paid. That is something of the legal phase of the situation. Presumably the liquor going

into the State is for private consumption. The Supreme Court has held that as such it is interstate commerce. It has also held that any interstate shipment of liquor is subject to the laws of the State into which it goes, and is subject to seizure as soon as delivered to the consignee. Any officer, agent or employee of any express company or common carrier who, within the State, knowingly receives, carries or delivers any intoxicating liquor to or for any person, to be sold in violation of the law is guilty of a misdemeanor.

"Plenty of power for the sovereign State, but when Governor Burke, a Democrat and a prohibitionist, was elected in 1906, he found North Dakota wide open. Nobody seemed to remember that the business had been done any other way. Liquor was being sold publicly and over bars. Governor Burke backed the law. He found that city administrations levied tribute on the 'piggers,' ostensibly to get revenue for municipal government. The money was used largely for graft, and shared among city officials to maintain supremacy of the existing political machines. These men secretly opposed law enforcement. One sheriff, besides refusing to carry out the law, rented property to 'piggers.'

"Andy Miller, a Republican, not a prohibitionist, an assistant State's attorney-general of North Dakota, started to close saloons. Several dealers were held to answer. Persons interested caused a grand jury to be called, which refused to indict the alleged violators, though the prosecutor maintained that the evidence was overwhelming. Miller caused the jury to be dismissed for incompetency and moved that its report be not accepted, because of prejudice against enforcement of the law. Judge Burke, of Valley City, sustained the motion. Another jury, hastily impaneled, brought in twenty-eight indictments. There were six or seven convictions. Several were sent to jail. Miller was elected to his present office, State's attorney-general. Within a year of his induction he has landed some half dozen 'piggers' (second offenders) in the penitentiary. Sixty others stand convicted of first offence, which includes the jail sentence.

"North Dakota is drier than it has been in its history. Let's see how arid that is. Collector Ellerman, of the Internal Revenue Service, reported for the fiscal year which ended June, 1909, that 1,895 special tax stamps, so-called government licenses, had been

issued in prohibition North Dakota for the manufacture of beer and sale of liquors and malt liquors. One hundred and eighty-three less stamps were issued to South Dakota, which is a license State and of nearly the same population. Moorhead wholesale dealers claim to have shipped a thousand cars of liquor into North Dakota last year. East Grand Forks, across the river from Grand Forks, N. Dak., makes the same assertion, plus the hundred-car output of a local brewery. Business progressed so rapidly that the stuff couldn't be shipped in fast enough. . . . The wholesalers are satisfied with prohibition, as it is known in North Dakota, because they are selling more liquor than they would if saloons were allowed. If there is an arrest, the retail dealer suffers, not the wholesaler. Everything is cash for the wholesaler, no license to pay, no property or fixture investment.

"Moorhead and East Grand Forks are Minnesota towns across the line from prohibition North Dakota. They do a rushing saloon business. Folks were roaring about Coney Island last summer. Either of these places would make old Coney blush for a week. Each town has fifty saloons (also ten to fifteen beer-distributing agencies). These saloons are not shacks or dugouts; they are as expensively equipped as those of Chicago. . . .

"In Moorhead I saw the wholesalers packing bottled beer into sugar barrels, seventy-two quarts in each. Kegs they send openly. Formerly the shipments were sent to any old name. With the beginning of this year they must go to bona fide addresses. A draft with a bill of lading in a sealed envelope is sent to a bank in the town of a customer. The latter is notified that his draft, and invoice are at the bank. He pays the draft, the banker turns over the bill of lading, the customer presents it to the agent, and gets the goods.

"Local trains in North Dakota get the name of 'beer specials,' because they are often held forty minutes for the liquid cargo to be unloaded. At one station, going from Fargo to Bismarck, beer kegs were stacked half as high as the station. Hardly without exception, the platforms were littered either with 'empties' or filled sugar barrels and regular brewery boxes of bottle and keg beer.

"I visited Dickinson, Fargo, Grand Forks, Minot, Mandan, principal cities in the State, and Bismarck, the capital of prohibi-

tion North Dakota. There wasn't a place I couldn't have bought a drink. Pigs all the way. Possibly as typical as any was the one under a livery stable next to an abandoned church, one minute's walk from the business section of Bismarck. The sun was well up when I sauntered across the tracks from the Northern Pacific Railroad station to the cellar. There was a worn path in the snow. I didn't require a sailing chart. The door was opened with unusual caution, because court was in session. Inside were five men besides the 'piggers.' Two of the customers wore fur-lined coats, so frequently seen in the Northwest, and one was ornamented with a fair-sized diamond. The other three were laborers.

"The old 'pigger,' or bartender, would adorn any dime novel. He was short, small-featured, light weight, with beady eyes and a black, drooping mustache. As long as I was in the place he never uttered a sound, nor did he take his eyes from me. Strangers are suspicious characters until proved otherwise. A man would lay a dollar on the counter, the 'pigger' would go to another part of the cellar and bring out two or three quarts, as indicated by the customer putting up that many fingers. All hands would drink out of the same bottles. There were no fixtures in the place except the board on two beer kegs used for a counter. Not a glass in sight. A single empty room heated by a broken-down stove and a pretty badly battered oil lamp. In case of a raid, all that 'pigger' would have to do to destroy every vestige of evidence would be to smash the bottles. He had a hatchet handy. This 'pigger' was so crafty that in case of trouble he would probably slide through a crack and vanish into thin air. Not a thousand miles from the 'pig' I saw a remnant of two years before—a hotel which had a siding built in its backyard, so that a car of beer could be shunted and unloaded behind a high board fence.....

"So much bad whiskey came into North Dakota under prohibition that Dr. E. F. Ladd, State pure food commissioner, began to grab samples for investigation. He issued a list of registered goods and advised the people to buy stuff which had been looked into. Among the brands he guaranteed were such famous old stock as 'Old Grandad,' 'Kentucky Dew,' and 'Doctor's Special.' Dr. Ladd told me that presumably he was examining whiskey which was not to be sold in violation of the law. It was not his

part to see to the enforcement, however, and for that reason his men board trains, jag wagons or anything which carried liquor. Anything suspicious is seized. He found that from seventy to ninety per cent. of the whiskeys sold in the drug stores in 1907 and 1908 were not pure. Some of these specimens contained methyl alcohol; others, labeled 'twelve years old,' contained no whiskey. One sample of a 'pigger's' 'Scotch-Irish' came near killing the parties using it. Another seller sold colored alcohol and added carbolic acid to give it a wood odor. A sample sold on the Fourth of July by a 'pigger' killed two. The same kind of a merchant, in double violation, sold a mixture of wood alcohol and grain alcohol to Indians of the Turtle Mountain reservation, and killed twelve.....

" 'Like every other law, it is easy to enforce where the sentiment of the people is in favor of the law, and difficult to enforce where the sentiment of the people is against it,' Governor Burke told me. 'Prohibition never did, and never will, prevent the occasional recurrence of the thing prohibited.' Says Judge Charles A. Pollock, father of prohibition in North Dakota, 'Prohibition does prohibit wherever the backbone of the officers is not of the jelly-fish order.'.....

" 'Under the saloon régime,' writes Mrs. Elizabeth Preston Anderson, president of the North Dakota W. C. T. U., 'there used to be a great deal of drunkenness. In many of the small towns it was not pleasant or safe for a lady to be out on the streets alone at night. Now, with no saloons the streets are safe at any time.' 'We have no such thing as prohibition,' Captain C. P. Hall, of the Salvation Army in Bismarck said. 'Sometimes a sheriff goes so far as to put a padlock on the front door of a "pig," but the business goes right along, either upstairs, downstairs, through the side door or out of the back door. The sheriff had placed a lock on a "pig" in Mandan, but when a Salvation Army officer selling the *War Cry* approached, one of the crowd inside shouted, "Come to the side door." District court was in session at the time.'

" 'It is quite likely that there is as much, or almost as much liquor consumed in North Dakota at present as there would be if the sale thereof was licensed,' writes George A. Bangs, of Grand Forks, a leading North Dakota lawyer. 'I doubt seriously if there are more than a few towns in the State in which liquor cannot be obtained.' ".....

A CLERGYMAN ON PROHIBITION.

Among the articles of a more general nature on the subject of prohibition published during the past year, one of the most noteworthy appeared in *Pearson's Magazine* for August, 1909. It bears the title, "Prohibition the Obstacle to Real Reform" and is from the pen of the Rev. W. A. Wasson.

For many years Mr. Wasson, who is a clergyman of the Episcopal Church, has closely studied the matter and undertakes to explain just wherein a prohibitory law fails in its object. At the same time he does not overlook the evils of the present day saloon. He believes that thorough-going regulations of the liquor traffic, not its prohibition, will make for temperance. Some extracts from his article follow:

"The prohibition leaders boast that, while ten years ago there were only six million people living in 'dry' territory, there are now thirty-eight million. If prohibition and temperance be the same thing, we are certainly making prodigious strides toward the millennium. But sober-minded people have no faith in the professions and promises of prohibitionists. Fifty years ago, the leaders of the crusade thought they saw the dawn of the perfect day, when there would not be a dram shop nor a drunkard in all the land. They were confident that the problem of intemperance, which had perplexed and baffled mankind for thousands of years, was as good as solved. The great dragon was about to be slain and his dead carcass hurled into the bottomless pit. But it turned out to be all a dream. The dragon was not slain; he was not even seriously wounded.....

"No legislative system has ever been more extensive nor fairly tested than that of prohibition.....By its records, by what it has done and by what it has not done, prohibition must be judged. On every page of that record, from beginning to end, are written the words failure, folly, farce. Nowhere and at no time, in all its history, has prohibition accomplished a single one of its avowed objects. Nowhere has it abolished the liquor traffic; nowhere has it prevented the consumption of liquor nor lessened the evil of intemperance. Neither as a State-wide system nor under local option has prohibition ever made the slightest contribution toward the solution of the liquor problem. The one solitary service that it has rendered to society is that of furnishing a warning ex-

ample of the supreme folly of attempting to legislate virtue into men's lives. .

"There could be no stronger evidence of the failure of prohibition than the fact that seven of the eight States that adopted the system fifty years ago, have since abandoned it and gone back to the policy of license and regulation. The people of these States adopted prohibition in good faith. They honestly and earnestly desired to wipe out intemperance. They realized that intemperance was directly or indirectly the cause of much crime, poverty and disease; that it was a financial burden on the State; and that it was a hindrance to material prosperity and to moral progress. No sensible person can believe that these seven States would have deliberately repudiated a system that they had adopted in high hopes and with high moral purpose, if they had found that that system was making for sobriety, prosperity and good citizenship.

"In view of the fact that it is always easier to secure the enactment than the repeal of laws of a reputed moral purpose, the repudiation of prohibition by these States is all the more significant. The only conclusion consistent with reason and common sense is that the people, after years of bitter experience, found that they had built on false hopes, and that conditions were not only no better but far worse under prohibition than they had been under the license system. It is also very significant that the States that were swept off their feet by the prohibition wave fifty years ago, are among those States that are being least affected by the present agitation. And even Maine, which is the only one of these States that has retained prohibition all these years, is actually showing unmistakable signs of genuine repentance. It is conceded on all sides that a decisive verdict against prohibition would have been rendered at the last State election in Maine, when resubmission was a prominent issue, if it had not been for the fact that it was a presidential year. Prohibition is generally least popular where it is best known.

"If prohibition really prohibited, the fact ought to be reflected in the figures of the U. S. Revenue Department. But, according to the government reports, the use of alcoholic liquors actually increases with the spread of prohibition. In 1893, the year the Anti-Saloon League was organized, the per capita consumption of malt and spirituous liquors in the whole country was 16.6 and 1.46 gallons respectively. In 1899, when only six million people were

living under prohibitory laws, the figures were 15.8 and 1.11. In 1907, when approximately 35 million people were living in 'dry' territory, the figures had risen to the high-water mark, 22.0 and 1.51. The report of 1908 shows a decrease of about 10 per cent. in spirituous liquors as compared with 1907, while the consumption of malt liquors was about the same for both years. Thus we are confronted with the remarkable fact that, in 1908, when the prohibition wave had reached enormous proportions and was wiping out saloons at the rate of 11,000 a year, the American people consumed more liquor per capita than they did in any previous year since 1893, the year 1907 alone excepted.....

"The Report of the Committee of Fifty, based on a most thorough and extensive investigation of conditions in Maine, tells the whole story of the miserable failure of prohibition throughout the entire State. Everyone that has traveled through Maine knows that there is not a town in the State where even a stranger, if he take the trouble to make inquiry, cannot get all the liquor he wishes, such as it is. And in many places the stranger is waited on by some considerate person who asks him whether he would not like 'something.' The statistics relating to arrests for drunkenness and deaths from alcoholism in Maine all tell the same tale. They spell the word failure.

"In response to the loud clamorings of the Anti-Saloon League, the legislature of Georgia enacted a prohibitory law a couple of years ago. The act went into effect January 1, 1908. For a short time, the new law seemed to have a good effect. Judging from surface indications, it looked as if prohibition might at least break its long record of failure and actually stop the sale of liquor. But, again, it was all a dream, and a very short dream, too. The drinkers adjusted themselves to the 'dry' system, and were soon hobnobbing as openly and boldly as ever with the old Demon. Conditions kept going from bad to worse, and before the law had been on the statute books a year, it was clearly evident to everybody that had even half an eye that prohibition in Georgia had broken down....

"Just a word about prohibition under the local option system. The writer is very familiar with the working of prohibition in a number of towns on the east end of Long Island, and from his own observation during the last seven years he can testify to the fact that in every one of these 'dry' towns, prohibition has been a disgusting farce every time it has been tried. In the writer's own town

the record of prohibition may be summed up in the admission of the local Anti-Saloon leader, that 'anybody can get all the liquor he wants in this town under either license or no-license.' That no-license has failed to accomplish any good on Long Island, may be inferred from the fact that at the elections last spring every town on the Island was carried for license by a decisive majority. The Anti-Saloon League made the fight of its life, but it was of no use. The people knew all about the 'blessings' of prohibition, and they concluded that they had had enough. The prohibitionists lost every town they then held, including conservative old East Hampton, which gave a majority for license for the first time in fifty years.

"Prohibition has failed because it is wholly negative and destructive. It is not the liquor traffic that creates the demand for liquor; it is the demand for liquor that creates the traffic. Prohibitionists seem to imagine that they are dealing only with the comparatively few liquor dealers; whereas they are dealing with the vast multitude of men who are determined to use liquor. They tell us that the saloon is a curse. Well, be that as it may, the practical question is, what blessing does prohibition furnish as a substitute? Students of social science, men who have spent years in observing and studying the saloon and the saloon constituency, whatever views they may hold as to the character of this institution as it now exists, agree unanimously on the following three propositions:

"1. That the saloon fills a legitimate social need.

"2. That it is practically the only institution that does fill this need.

"3. That it is worse than useless to attempt to abolish the saloon until some more suitable institution be established as a substitute.

"The saloon exists because there is a demand for it. A prohibitory law certainly does not remove this demand. In short, it does not destroy a single one of the elements that constitute the life and power of the saloon. It does not introduce into the community a single element that acts as an antidote for the saloon. Under these circumstances, it is inevitable that the saloon, in one form or another, will continue to serve its customers.

"A stringent, harsh sumptuary law, like prohibition, could not be enforced unless it had on its side an almost unanimous public

sentiment, vigilant and well-organized. Such a law has all the odds against it. It has an uphill job from the outset.

"Prohibition has not only failed to accomplish its avowed object, but it has been the greatest obstacle to true temperance reform in this country during the last fifty years. Other nations are far ahead of us in the way in which they handle the drink question, and one reason is that they have not been so much disturbed by 'temperance waves.' If the liquor problem, in its legislative aspects, is ever going to be solved, the solution must be found along the line of regulation, and the sooner we set our feet on the right path the sooner we shall reach the desired end.

"Nothing is more certain than that every State and local community in which prohibition now obtains will ultimately have to return to the policy of regulation, and just so long as the prohibitory law remains on the statute books, just so long will the day of reformation be deferred. The present hysterical crusade is itself an obstacle to reform even in places where the license law obtains. It is a drain on the moral energy of the community. It creates contention, confusion, and bitter strife. It attracts and leads astray many well-intentioned but unthinking people, whose interest in moral reform and whose zeal and enthusiasm would, if wisely directed, be of great value to the community.

"Finally, prohibition must be condemned because it is itself the source of many social and political evils. These evils are briefly summarized as follows:

"1. Prohibitory legislation has never succeeded in abolishing the liquor traffic, but it has succeeded in degrading and demoralizing the traffic by driving it into secret places.

"2. Prohibition discourages decent, honorable men from engaging in the business, and thus throws it into the hands of the most unscrupulous and irresponsible men in the community. The only qualification required to do business under prohibition is the ability to beat the law without getting caught. A couple of years ago, in a certain town on Long Island, one of the best hotels had to close its doors shortly after the 'dry' law went into effect. The proprietor of this hotel was one of the most honored men in the community. Prohibition did succeed in closing this man's bar and driving him out of the hotel business as well, and it closed other decent places. But what was the result? Why, within two years between fifty and sixty 'kitchen saloons' were

established in this same town. It is a well-known fact that most of the men that run these 'speak-easies' in a 'dry' town are thoroughly satisfied with prohibition. A license law would put them out of business.....

"3. Prohibition has a bad effect also on the drinker. It tends to discourage the use of the lighter alcoholic beverages and to encourage the excessive use of the stronger liquors.....

"4. Prohibition creates widespread and habitual law-breaking. Consider the number of crimes that are committed every hour of the day in a 'dry' State. And consider the bad moral effect of this habit of law-breaking on the civic life. It creates the spirit of lawlessness. It tends to weaken and break down that respect for the principle of law and order which is so essential to good citizenship.....

"Ex-President Eliot of Harvard sums up the whole case against prohibition in its effects on the social and political life. He says: 'The efforts to enforce it (prohibition) during forty years past have had some unlooked-for effects on public respect for courts, judicial procedure, oaths and law, legislatures and public servants. The public have seen law defied, a whole generation of habitual law-breakers schooled in evasion and shamelessness, courts ineffective through fluctuations of policy, delays, perjuries, negligences and other miscarriages of justice, officers of the law double-faced and mercenary, legislators timid and insincere.' Such is the character and the record of prohibition.

"The writer of the present article does not wish to minimize the evils and abuses that have been allowed to grow up and intrench themselves in the liquor traffic. There is no doubt that some liquor dealers have condoned and encouraged conditions repugnant to moral sense and destructive of decency and good order. They have encouraged other vices, such as gambling and the social evil. They have catered and pandered to the worst passions and impulses in human nature. And they have done all this in a cold-blooded desire to increase the volume of their business. But the number of such dealers is comparatively small. At the same time, one such man in the business is one too many. Liquor laws should be so framed, that it would be extremely difficult, if not impossible, for men of this stamp to get into the liquor business, and the law should also provide a simple and easy way to drive out those that have gotten in."

SOME PHYSIOLOGICAL ASPECTS OF ALCOHOL.

"THE ACTION OF ALCOHOL."—This is the title of a paper introductory to a discussion held by the British Society for the Study of Inebriety, January 12, 1909. It is from the pen of Arthur R. Cushney, A.M., M.D., C.M., F.R.S., Professor of Pharmacology in University College, London, and a world-wide authority. The paper and communications in regard to it are reproduced in the *British Journal of Inebriety*. While it is clear that the final word on the question is still to be spoken, the views expressed must be regarded as representing the best modern scientific thought. Some excerpts from Professor Cushney's paper are given below:

".....The action of alcohol on the brain has been the subject of prolonged controversy, the question at issue being whether it first increases the activity of the nervous tissues and then decreases it, or whether it decreases it from the beginning. The advocates of the latter view explain the symptoms of excitement which often follow the use of alcohol as the result of the depression of the function of self-control, and point out that when alcohol is given in circumstances which are not in themselves liable to cause excitement, no excitement results. The psychological experiments of Kraepelin and his pupils are so well known that it is unnecessary to recapitulate them here. Suffice it to say that they failed to find any evidence that alcohol accelerated or facilitated mental processes, and that, on the contrary, the first symptoms induced by it were those of lessened alertness and receptivity. A very painstaking research has recently been carried out by Rivers, who examined the fatigue induced by muscular work done with and without alcohol, and as his method allowed of more accurate controls being used than hitherto, his chief conclusions may be mentioned. He and his colleague, Mr. Webber, used the ergographic method, and the alcohol which they took was carefully disguised, so that the subject was seldom aware whether the fluid he drank contained alcohol or not. In this way all suggestion was avoided, and the interest in the question at issue did not disturb the experiment. Small doses of 5 to 20 c. c. of alcohol were taken, corresponding to about 1 ounce of port and 1½ ounces of whiskey respectively. From these quantities little or no deviation from the control was observable; the alcohol had no apparent effect in increasing the capacity for work, nor did it appreciably dimin-

ish it. Larger amounts of alcohol did not give constant results; sometimes the work was increased, but Rivers expresses some doubt whether this was a direct effect of alcohol or due to the observers' realizing that alcohol had been used.

"On the whole, evidence seems wanting for the preliminary increase of nervous power or mental capacity under alcohol. What appears at first sight to be increased cerebral activity proves, on accurate analysis, to be the result of impairment of the higher functions of the brain.....

"The effects of alcohol on digestion and nutrition have been very carefully examined, both in animals and man. And in the first place in all such discussions one must bear in mind the taste and palatableness of the preparation. No drug is known that acts on the gastric secretion and digestion so strongly as the odour and taste of palatable food. Now, many alcoholic preparations may exercise an influence on the secretion in this way merely by their bouquet and taste in the mouth. It is true that none of them have been shown to have an effect comparable to the ordinary foods. The digestion by the gastric juice is somewhat accelerated by the presence of minute quantities of pure alcohol; but none of the ordinary alcoholic preparations have this effect, all sending to retard digestion to a greater or less extent. After absorption alcohol has some effect in causing gastric secretion, but this is poor in ferments, and can scarcely be held to be of importance. The movements of the stomach may be slightly accelerated, and also the absorption in the intestine. On the whole one finds that, while the digestive processes are slightly accelerated in some individuals, in others the reverse is the case, and in none is the effect on digestion of one or two glasses of wine very marked. The total amount of food actually absorbed remains practically unchanged. It is, of course, possible that alcohol, by its euphoristic action on the brain, may tend to increase the desire for food, or, rather, to lessen the dislike of food in some cases, and may thus be useful. And here, perhaps, is one of the chief objects with which it may be advised for the old and the invalid. Alcohol is absorbed very rapidly from the stomach and the upper part of the small intestine.

"One much-mooted point in recent years is whether alcohol is capable of being utilized by the tissues in the way sugars and fats are used as sources of energy. And this is really decided absolutely,

and, it may be hoped, for ever. It is not to be confused with the question whether it is an advisable form of food, nor whether it is liable to induce breaches of the peace. Alcohol is utilized in the tissues apparently with the same results as sugars or fats, and in most points is equal or superior to them as a source of energy. In some individuals it first induces a disturbance of the metabolic equilibrium, but a sudden change to sugar or fat is liable to have the same effect. And over 95 per cent. of the alcohol taken is utilized for this purpose; less than 5 per cent. finds its way out of the tissues unchanged.

"This is, as I have said, quite apart from the question whether alcohol is a form of food to be recommended, as may be realized when it is added that glycerine or vinegar are equally to be included in the class of energy-givers. One of the characteristics of a good food is that, in addition to digestibility, it has no effect on the tissues or organs, and no one can claim this for alcohol. It is strange to find alcohol advocated as a food, and at the same time as a stimulant, to the brain and heart. A good food neither stimulates nor depresses the brain or any other organ, its sole relation to these organs being to supply them with energy.

"Experience has shown that several diseases—notably, pneumonia and cholera—are especially virulent in persons addicted to the excessive use of alcohol, and this has long been attributed to a deterioration of the tissues from some specific action on them which reduces their resistance to the inroads of the pathogenic microbes.

"Numerous experimental investigations have shown that the same exaggerated susceptibility to infection may be induced in animals by treating them with quantities of alcohol which would correspond to that taken by the hardened toper. In experiments with smaller quantities the results are not so definite as one would desire. Laitinen's latest experiments were carried out in animals to which alcohol was given in quantities corresponding to less than a glassful of whiskey per day, and he states that these exercise a distinctly deleterious action on the blood, and reduce the resistance to infection. Another investigator, on attempting to control these results, was not satisfied with their correctness, and too great weight must not therefore be placed on them. It would require a very extensive investigation to show at what point exactly alcohol ceases to exercise any deleterious action on the

tissues when taken for a long period, and this investigation has not been undertaken.....

"The fact that alcohol is soluble in the lipoids explains the facility with which it permeates into all living cells. The consequent disorganization of cell life may account for the symptoms of chronic alcoholism which may arise from almost any of the organs, but perhaps some of these may rather be ascribed to the chronic dyspepsia and consequent malnutrition often induced by alcohol. Among the organs which suffer most severely in chronic alcoholism is the central nervous system, and there has long been recognized to be a connection between alcoholism and insanity and other nervous disorders. It is commonly said that drink fills our asylums and poor-houses; but it is still undecided which is the cause and which is the effect. Does a normal person become a drunkard and then a lunatic? Or is it not the case that a mentally weak person in his progress to the asylum may pass through one of several gates, one being that presided over by the publican? In a discussion on this point some time ago, one speaker said: 'It is not the drunkard that goes mad, but the lunatic who gets drunk.' There may be some truth in this forcible expression, but it does not seem to me that it tends to support the publican side of the question. For if the weak-minded person has a tendency to alcoholism his opportunities for indulgence should be restricted on the same logic as his opportunities of obtaining fire-arms or poisons. And it seems probable that such a mentally weak individual, if prevented from the destructive and abasing effects of alcohol in excess, might very well escape the descent to the point at which he is judged a public danger and his liberty is restricted.

"I have been asked to speak on the action of alcohol, and I am afraid I have appeared to have no new views to bring before you, and indeed to have no very definite opinion in regard to its deleteriousness or otherwise. But this seems to be the only point of view which is tenable at the present time. It has not been proved that alcohol taken habitually in small quantities—15 to 20 centigrammes per diem—is incompatible with health and vigour. And if the use of alcohol never proceeded beyond these limits there would be no great objection to its use. The great danger of alcohol is, however, that, as in the case of the other hypnotics, a certain number of individuals fall victims to the habit and take

the drug in excessive quantities. This is quite characteristic of this group of drugs, but none of them save, perhaps, opium, has been so extensively abused as alcohol. As the habit is developed, a certain degree of tolerance is acquired, and the chronic alcoholic finds that the weaker forms of alcohol no longer satisfy him, and resorts to the more powerful forms prepared by distillation. These stronger preparations, however, differ from the weaker in permitting a much larger amount of alcohol to be taken, and also in having a much more pernicious effect on the digestion, and thereby on the nutrition, than is observed under the use of weak solutions. From the medical point of view, as apart from the economic and sociological, the chief disasters of alcoholism arise from the use of spirits. And I think that the medical profession would probably be at one in supporting any measure by which these strong preparations were rendered less easily accessible to the general public; and a gradual reduction in the alcoholic strength of spirits, and subsequently of our liquors, would probably meet with less opposition than any other measure directed towards the diminution of alcoholism, the fact being that spirits now are generally sold at the lowest dilution permitted by the law."

COMMENTS ON PROFESSOR CUSHNEY'S PAPER.

By T. CLAYE SHAW, B.A., M.D., F.R.C.P.,

By President of the Society for the Study of Inebriety.

"A résumé of the lecturer's contentions indicates that in his opinion small quantities of alcohol are not incompatible with health, that habit causes excess, that by continued dosing a tolerance is acquired, and that of all alcoholic preparations spirits are the worst.

"This very interesting and instructive letter was concluded by a recommendation that the standard of the strength of whiskey permitted for sale in public houses should be considerably lowered—a change which would be welcomed by the vendors themselves."

By HARRY CAMPBELL, M.D., F.R.C.P.,

Ex-President, Society for the Study of Inebriety.

"I find it difficult to follow the Professor when he says, 'One of the characters of a good food is that, in addition to its digestibility, it has no effect on the tissues and organs, and no one can

claim this for alcohol. It is strange to find alcohol advocated as a food, and at the same time as a stimulant, to the brain and heart. A proper food neither stimulates nor depresses the brain or any other organ, its sole relation to these organs being to supply them with energy.' Surely food consists of something more than mere 'energy-givers' (e.g., proteids, saccharides, fats). Not only salts, but those numerous substances grouped under the head of *extractives*, play an important part both in digestion and in metabolism generally. In the selection of their food animals have not merely regard for its energy-giving value and its freedom from poisons. Tasty, 'stimulating' foods are preferred to bland, insipid non-stimulating foods. Flesh, the food of the carnivora, is the most stimulating of all foods, and may cause a veritable intoxication; and among vegetable-feeding animals it will always be found that great discrimination is exercised in the selection of food, and that this selection by no means always depends upon its energy value and innocuousness. Why should a tortoise display (as I can vouch it does) a predilection for dandelion leaves? Why should the primitive Australian travel scores of miles to secure his much-loved pitcheree? The animal organism demands in its foods substances which supply other wants than the need for energy, just as the blood plasma contains an untold multitude of substances which play a needful part in nutrition, though they yield no energy. Herein lies, I believe, the widespread desire in man and beast for things stimulating.

"The divergence of opinion among different medical men regarding the therapeutic value of alcohol is remarkable. I fear their conclusions are too often founded on mere impressions, and too seldom upon rigid scientific observation."

MODERATE USE OF ALCOHOL.

In his presidential address before* the British Society for the Study of Inebriety, T. Claye Shaw, B.A., M.D., F.R.C.P., takes a more general view and says among other things:

"In all classes—at the universities, in the services, at the clubs, in private life—there is a great falling off in the consumption of alcoholic drinks, and the revenue returns emphasize this—we are

**The British Journal of Inebriety*, July, 1909.

really a more sober nation—*i. e.*, there are fewer people who drink to excess, whilst there are probably more who are so moderate as to be practically total abstainers. The only means by which this change has been brought about is by education—both by precept and practice; the necessity of moderation or abstinence has been incorporated into the mental life of the community; there has been no falling off in the attractiveness of drink, no raising of the price, nor elevation of obstacle in the way of getting it; but it is simply due to the logic of science and the preaching of common sense.

“Granting that the drink bill of the country has shrunk, we naturally turn round to see the results which ought presumptively to occur if alcoholism is the cause of all moral dereliction, as is affirmed by certain classes of reformers, and we should expect that a rise in virtue and moral control would follow in the wake of this diminished consumption of alcoholic liquors. What do we find? From the Registrar’s Reports recently issued it appears that legal delinquency is greater than before—virtue has not tended on temperance, except in one particular, *viz.*: that convictions for crimes of violence are not so numerous as they were; in other departments of moral lapse the offences against the law are more numerous. Some time ago, during the debate on a paper which I was reading at the Medico-Legal Society, the President, Mr. Justice Walton, said that in his experience crimes attended with violence were, almost without exception, due to alcoholic excess; so here is an argument in favor of the learned Judge’s dictum, *viz.*: that with greater moderation in alcohol there has been an improvement in the actual amount of assault with violence—a form of crime which, as has been often insisted on here, alcoholic extravagance is very prone to take. Apart from this, if alcohol has anything to do with the question at all, it would be justifiable for the opponents of teetotalism to say: ‘Your violent declamations against alcohol are not justified by the statistics; the decline of alcoholism and the decline of crime are shown to be in an inverse ratio.’

“It is probable the evil effects of alcohol, even when taken in moderation, have been exaggerated by the extremist school, and that a great deal has been attributed to it with which it really never had anything to do. Certainly the connection between alcohol and delinquency has been strained, for the non-alcoholic races—the Mohammedans of India, the Turks of Europe and Asia are no more virtuous than are Christians.

"Among the many papers read before this Society, whilst all have been of value and interest, I would especially mention Professor Cushney's address on the 'Pharmacology of Alcohol' as being calculated to be of great use in reply to questions which are often put, and which may now be categorically answered.

"I mean that we are often asked to say whether, in the light of science, alcohol is a food, whether it lessens fatigue, whether it sets up energy, whether it is actually absorbed and can be detected in the tissues, etc. We now know that alcohol is not a food, that it is of no direct use in building up tissue. That it does not lessen fatigue is proved by psycho-physical investigation. It is without doubt a stimulant, and it does call forth energy, *i.e.*, the power to accomplish work—and it may for a certain time be detected in the tissues. All these facts were enunciated by Professor Cushney, and they were accepted. The main result for the practical application of our acknowledged facts is that alcohol has its uses, and that it must be absurd to condemn wholesale an agent which has obvious advantages in certain directions. This, let me remind you, is a society for the Study of Inebriety, of the consequences of excess in taking alcohol and drugs, and if we are persuaded that alcohol has virtues of its own, it is quite within our province—perhaps it is even our duty—to say boldly how far our deliberations have led us. There still remains the question how far alcohol can be taken with impunity—whether, *i.e.*, even as a stimulant it is harmful to the organism, and if it may in small quantities be safely taken, what is the limit of these doses. Here we cannot step in and fix a standard—each man is the referee for himself as to when the line of moderation is passed—but we may confidently advise him not to even cultivate the limit of moderation, to keep clear rather of this debatable land except under special circumstances.

"It seems useless to protest against the properties that alcohol has, and to urge that it is a 'poison' when the general practice of society is against us. If we believed and could prove that alcohol was always an enemy, and never a friend, we should be morally bound to protest against its use at all, but inasmuch as we must recognize that on occasion it has its uses, it seems to me that the present position of the alcohol question is this: For people in health alcohol in any shape is not necessary. To all people it is when taken in excess a dangerous and harmful agent, and even when taken in what is called moderation it is of doubtful advantage, and even

here may be the cause of slow degeneration. There are times when it is necessary—*e.g.*, in providing a quickly acting energizer, or in promoting appetite and digestion by means of its aromatic adjuncts in different forms of wine, beer, or spirits. It must be acknowledged that the overwhelming practice of people in our social surroundings is quite at variance with what we recognize to be the true position of alcohol. It is difficult to point to leaders of thought, science, art and literature, philanthropy, business, etc. in whom total abstinence is not the exception. Much of the money obtained for charitable purposes is got by the agency of banquets in which alcohol is a prominent feature. In private life people will, perhaps, dine with a friend who provides a total abstinence dinner, but they do not like it, and as a rule prefer to excuse themselves. Everywhere, from the christening of a battleship to the last scenes of a funeral, the health and future of the former are pledged in alcohol, and the social agent is invoked in celebrating the obsequies of the departed. No doubt custom and habit have much to do with the ever-frequent call for alcohol in our joys and woes, and if we could prevail upon people to listen to what is the truth about alcohol, we might have to wait for charity in a less impulsive form, and we might find a colder and more deliberate world around us, but we should gain in stability what we lost in meteoric irradiance, and after a time there would be no more the idea of alcohol as an indispensable than there is now in expecting dandelion tea for festal occasions. If even we were to displace alcohol altogether, it is by no means certain that some worse thing would not arise in its place."

ALCOHOL IN RELATION TO LIFE.

BY WALTER ERNEST DIXON,*

In the March (1910) issue of "*The Nineteenth Century*."

It is a popular belief that alcohol is a substance foreign to the animal economy, and can be introduced into the animal body only through the instrumentality of man. This is a fallacy, for alcohol is found widely distributed throughout nature, though always in association with living cells. It is, of course, well known that plants produce and use alcohol; it has been detected in various parts of the higher plants, such as the growing tissues, seeds, and the trunks of trees, whilst in more lowly organisms its production by the yeasts from sugar, and the fact that it can be used directly as a food by the vinegar-forming organism are sufficiently familiar examples. Alcohol has also been found in the normal tissues of the higher animals, though in small quantities; in large amounts, indeed, it is hardly possible that it could exist normally, since one of the biological characteristics of alcohol is its easy oxidation.

The living cell in activity is constantly undergoing chemical changes which are usually expressed by the term metabolism. Formerly these changes were regarded as "vital," and were supposed to be intimately connected with the living bioplasm, but more precise knowledge has shown that they are not of the sudden and drastic nature which they were once conceived to be. The breakdown of the protein molecule in the body is not a violent and sudden change like a gunpowder explosion, but a gradual process involving many steps, and the production of many intermediate substances before the final stages are reached. Similarly the building up of starch in green plants from carbon dioxide and water is no longer regarded as a single chemical equation; in all probability intermediate bodies appear and disappear rapidly until the final stable and relatively resistant product, starch, is reached. These chemical changes are brought about not by the influence of

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living bioplasm, but by dead ferments. What ferments are, and how they work, is not of moment in the present argument, but the living cell contains a large number of such bodies, each tending under certain conditions to affect its own limited chemical change. Thus, if it be possible to imagine a series of different ferments co-ordinated together, so that when one has acted upon a body it passes its resulting product on to another ferment, which in its turn produces its own special chemical change, and so on through a regular series, whether they be of the nature of building up or breaking down, some idea may be obtained of the type of changes believed to be going on during the life of a cell. Ferments can be extracted from the cell and made to perform their own special functions on the test-tube, and from a single organ, such as the liver, some thirty such ferments have already been isolated. It will readily be appreciated, therefore, that the chemical changes involved in the life of a cell, in the absorption of oxygen, and the intra-cellular digestion of food material, processes which once were regarded as a property only of living tissue, have now been proved in many instances to be the effect of selective ferment action.

The significance of alcohol is intimately associated with living cells, since alcohol is one of the products formed during cellular metabolism. That this is so in some cells is fully recognized and appreciated: if living yeast cells are fed upon sugar, the sugar is partly burnt and alcohol is formed; the same effect may be obtained by extracting the ferment, zymase, by pressure from the yeast cells and allowing it to act on the sugar. But yeast was regarded as something extraordinary, a cell apart; in reality, however, it is not a unique cell in this respect; many other varieties of cells, including even those of mammals, have a like effect. Yeast under ordinary conditions fails to carry the conversion of sugar further than the production of alcohol, possibly through a deficiency of suitable ferments: in any case, however, alcohol is the end product in this particular organism. During the germination of certain seeds of flowering plants the same effects can be shown; thus, if peas are grown in a sugar solution with a deficiency of oxygen, some of the sugar is used up and alcohol is formed, which is easily recognized and can be distilled off: if, however, there is a plentiful supply of oxygen, the alcohol is very much more difficult to detect; in the latter case there is reason to believe

that it is oxidized almost as rapidly as it is formed. The oxidation of sugar into carbon dioxide and water in the cells of the higher plants, therefore, would seem to be a gradual change necessitating the presence of more than one ferment. In the cells of certain lowly organisms which can live upon sugar or its partly oxidized products, the breakdown is often carried through only one or two of these stages, and not through the complete cycle as in the higher organisms; thus the lactic acid ferment carries the metabolism only to the stage of lactic acid, and the vinegar ferment to that of acetic acid.

Professor Stoklaza, of Prague, has given us convincing proof that the muscles of the higher animals contain ferments capable of oxidizing sugar or glycogen into alcohol; his work was for a time refuted, but the whole of his experiments have recently been amply confirmed by several authorities, including Dr. Ransom, of Cambridge. These ferments are similar in their action to yeast zymase, but as they are of the utmost importance we may consider them briefly for a moment. If some fresh muscle-juice obtained by pressure from muscles of the frog, bird, or mammal, and kept frozen until the moment required, be added to a mixture of alcohol and ether, a precipitate is formed. This can be filtered off and dried as a white powder. If some of this powder is added to water containing glycogen or sugar at 32°C., then fermentation commences practically at once, and within half an hour alcohol is formed not in minute traces but in considerable amounts, which can be easily estimated: the rapidity of this action makes it certain that it is the result of muscle-ferments and not the effect of micro-organisms, and, moreover, the presence of disinfectants such as toluol in the solution makes no difference to the fermentation. Other experiments which need not now concern us make it extremely likely that the alcohol is not formed directly from glycogen or sugar, but from lactic acid, which, as already stated, is one of the earlier intermediate products of sugar metabolism.

Thus from fresh muscle, just as from yeast, a ferment can be extracted which converts sugar into alcohol: it is difficult to interpret this fact in any other way than by assuming that alcohol is one of the intermediate products in the oxidation of sugar. If it is further remembered that products of digestion are in reality products of fermentation, then alcohol is but a stage in the intracellular digestion of sugar. In the conversion of sugar into alco-

hol very little power is liberated: it is the combustion of the alcohol which supplies the energy.

It has been frequently shown that fresh tissues, not dead ones, can destroy alcohol. If alcohol is added to some fresh animal tissue outside the body, in a very short time it is so changed that it cannot be recovered; but if the tissue be first kept for twenty-four hours it is then no longer able to dispose of the alcohol. Similarly, if a rabbit's heart, freshly excised from the body, is perfused with a salt solution containing alcohol, a percentage of the alcohol is found to be destroyed so long as the heart continues to beat. One characteristic feature of alcohol is its easy and rapid oxidation in the body; under normal conditions it is probably utilized almost as soon as it is called into being: it is swiftly passing, and alcohol, of course, is never present in amounts anywhere approaching those necessary to induce toxic effect. From this it does not seem unreasonable to argue that traces of alcohol should be found associated with living cells, and it may now be regarded as an established fact that fresh animal tissues and organs contain traces of alcohol: Kobert found it in the turtle's liver, especially after the addition of glucose, and numerous other observers have succeeded in distilling it from fresh tissues, such as the brain, liver and muscle. It has been suggested that this alcohol was present as the result of bacterial action in the intestines, and although, in view of the precautions taken, this hypothesis does not appear likely, nevertheless, it is important to mark that alcohol may be formed naturally in the alimentary canal. The late Monsr. Duclaux, the successor to Pasteur as director of the well-known institute in Paris, demonstrated that a microbial digestion of the celluloses occurs in the large intestines, especially the colon, and that alcohol may be one of the products liberated. It has been lately proved that the *Bacillus Coli Communis*, an organism living normally in the alimentary canal, when allowed to grow on sugar, gives rise to from 9 to 17 per cent. alcohol, and as alcohol is one of the most easily absorbed substances known, it is impossible to avoid the conclusion that this alcohol passes into the system.

If, as this evidence clearly shows, alcohol is a primary product of metabolism in the animal body and not an unimportant accidental by-product, then it would be expected that alcohol, taken by the mouth in strict moderation, should behave in every way like such ordinary carbohydrates as starch and sugar. Fortunately science

is now in a position to give a definite answer to this question, for it has been shown that within certain limits alcohol can be substituted for starch or sugar without in any way altering the ordinary metabolism of the body: this has been proven for alcohol, but for no other chemical substance.

The most complete and by far the most reliable experiments dealing with the metabolism of alcohol are those which were conducted by Drs. Atwater and Benedict in America for the committee chosen for the purpose of studying the rôle of drinks containing alcohol.* They experimented on healthy men in equilibrium—that is, men whose weights were constant and who were partaking of a fixed daily diet. At a given time the subject of the experiment was introduced into a chamber sufficiently large and well ventilated to allow him to remain in comparative comfort for some days. This chamber was arranged to permit of measurements being taken of the total heat given out from the body, and of the gaseous interchange through the lungs. Sometimes the experiments were conducted during rest—that is, with no other exertion by the subject than that required for the ordinary routine of life in the chamber; and sometimes the subject performed physical exercise for eight hours or thereabouts in the day by working a fixed bicycle turning a dynamo; in these cases the amount of work was estimated by the heat generated whilst passing the current formed by the dynamo through an Edison lamp. The diet and excreta were most carefully analyzed, so that the whole income and expenditure of the body was known. The ordinary diet consisted of meat, milk, bread, cereals, butter, sugar and the like, and in some cases coffee. During the metabolism experiments proper the subjects were in the chamber of the respiration calorimeter from four to nine days, but for several days previously to each experiment they had been partaking of essentially the same diet and performing roughly the same amount of muscular exercise as in the chamber. The experiments were made and conducted under as nearly perfect conditions as possible.

It must be remembered that the body requires material to burn: its own material is being continually burnt and replaced from that of the food. If the food supplies as much material as is required, than a condition of equilibrium obtains; if the food exceeds the need of the body, the body stores are increased, and if the food is not enough to supply the requisite combustible ma-

*Refers to investigation of Committee of Fifty.

terial the body store is drawn upon. The object of Atwater was to study the effects of alcohol under conditions calculated to secure the minimum of effect on the central nervous system. For this purpose $2\frac{1}{2}$ oz. of alcohol was given daily in six doses: this corresponds to about the amount of alcohol which would be supplied in a bottle of claret or Rhine wine, or 6 oz. of whiskey.

The first result which these experiments clearly showed was that alcohol taken in the quantities mentioned was oxidized in the body as completely as ordinary food materials; 98 per cent. was burnt and less than 2 per cent. escaped oxidation. It was found that, whether the rations contained alcohol or not, the body burnt material as it required it, and no faster; alcohol was not burnt more rapidly than starch or sugar, nor was there any other condition to suggest that its employment as a food substance was different from ordinary nutrients. In the resting experiments the heat given off from the body corresponded with that which should arise on theoretical grounds from the oxidation of the material burnt in the body, or, to put this in other words, the heat given off represented the latent energy of the food; the results were the same whether or not some of the food was replaced by alcohol. In each of the experiments the alcohol was a source of heat just in the same way as starch or sugar. Whilst these facts may now be regarded as established, it is oftentimes asserted that alcohol differs from foods such as starch in that it causes excessive heat to be lost from the surface of the body or the temperature to be lowered, and this apparently because it is well known that after excessive doses the temperature may fall considerably. But it was not until these experiments in America were made known that our first reliable information was obtained as to the effects of moderate doses; in these the amount of heat given off from the body was determined first when the subject was upon a normal diet—that is without alcohol—and then on a diet in which some of the carbohydrate was replaced by an equivalent amount of alcohol. Atwater, in comparing the six most reliable of his experiments in the two stages, with and without alcohol respectively, says that the heat given off from the body with the ordinary diet averaged 2946 calories and with the alcohol diet 2949 calories. The results are the same, since the differences come well within the limits of experimental error. If further proof were needed, there are the additional facts that alcohol in isodynamic amounts—that is, those of

like values or in quantities yielding equivalent energy—can be substituted for starch in a diet just sufficient to meet the requirements of the body without noticeable effect on the metabolism. The energy of the alcohol-ration was utilized equally as well as that of the ordinary food, and these facts completely dispose of the hypothesis that the energy yielded by alcohol is lost through increased heat radiation. So far, then, there is clear proof that alcohol up to $2\frac{1}{2}$ oz. can be substituted in a diet for equivalent quantities of starch, sugar, or fat without noticeable metabolic change: in other words, alcohol is a sparer of fat and carbohydrate in the animal economy. In this respect 1 oz. of alcohol is, roughly, equivalent to $\frac{2}{3}$ oz. of fat or $1\frac{1}{3}$ oz. of starch and sugar.

One of the most debated questions in the alcohol controversy is whether or not alcohol has the power to protect the body-protein. Many detail points in this connection are still undecided, but the broad principle that alcohol exerts a protein-protecting power may be regarded as settled. Dr. Rosemann was for years the leading exponent that alcohol did not protect protein; but recently, in a critical and exhaustive review of the whole subject, and after further experiments, he informs us that in his opinion the protecting power of alcohol is established.

From these facts it will be evident that most of our views on the use of alcohol as an aliment have changed in the last twenty-five years. It was once asserted that alcohol was not burnt, but excreted unchanged; later that it was burnt, but burnt immediately like a wet squib, and much too rapidly to be of any real service to the body; then that it did not supply the body with heat, since the liberated energy was lost by heat radiation. It was also stated that alcohol had not the power to economize the body's fats and proteins. All these assertions which were formerly accepted are now completely disproved.

The important question to which all this leads is how these latter-day facts should cause us to regard the position of alcohol as a beverage in its broadest sense. Though alcohol may be a necessary constituent of the animal body, this fact alone affords no evidence that its artificial consumption is desirable. It is altogether unnecessary for the healthy man to take short cuts to digestion and to substitute alcohol for starches, and socially the artificial consumption of alcohol in any form may be a danger to some people. Most people take alcohol because they say it agrees

with them; I fancy, however, that this means because they like it. While, then, on the one hand, these experiments afford us no evidence that alcohol is a desirable substance for the average man, on the other they do not support the oft-reiterated statement that it is a poison. The secretion of the thyroid gland is essential for the proper working of the body, and both a deficiency of the secretion and an excess are prejudicial to health: the active constituent of the thyroid gland is undoubtedly a poison in excessive but not in normal amounts. Alcohol also is a poison in narcotic but not in physiological dosage; even so well recognized a food as sugar, which is a normal constituent of the body, when present in the blood in excess, causes disease such as fatty degenerations. The late Sir Michael Foster wrote: "The value of the various articles of diet does not depend by any means solely on their ability to supply energy; we have seen, for instance, that salts which supply no energy are nevertheless of use in directing the changes going on in the body. In a somewhat similar way alcohol and other substances may influence and direct these changes."

Now all these facts which have been noted concerning alcohol, and especially those brought out by Atwater and Benedict, which, it should be remembered, are the only reliable experiments in which the power of alcohol, as compared with that of the fats and the carbohydrates of ordinary food, to protect the body fat has been quantitatively measured, apply only to moderate doses of alcohol, for every one knows that excessive amounts of alcohol are injurious. The question as to what constitutes moderation, therefore, becomes a matter of importance. It is obvious that what may be moderate for one man may well be excess for another. Atwater's experiments were conducted with $2\frac{1}{2}$ oz. of absolute alcohol per diem, but such a dose would without doubt be excessive in some people; and if it be necessary to draw an arbitrary dividing line between excess and moderation, probably that of Dr. Anstie, which is today used by many of the largest insurance companies in America, would be more generally acceptable; but even this is considered too high by Professor Abel, a colleague of Dr. Atwater on the committee of fifty. Anstie put moderation at $1\frac{1}{2}$ oz. of absolute alcohol; this would represent about 4 oz. of whiskey, two or three wineglasses of sherry or port, a pint bottle of claret or champagne, or from four to six tumblersful of light ale or beer.

Alcohol is not a necessity for a healthy man; it is a luxury and an expensive way of taking food. On the other hand, when it is taken in strict moderation, injurious effects have yet to be proved. The use of alcohol in sickness, however, is quite another matter; in it we have a type of food-substance which is very rapidly absorbed into the circulation, and which requires no preliminary digestion, but is easily oxidized in the tissues, thus affording a valuable source of energy.

The cause of temperance we all have at heart, and only differ from one another as to the best means of attaining our end. But the views expressed as to the moderate use of alcohol differ widely: at the one extreme may be placed certain savants, of whom the late Dr. Duclaux will serve as an example, who have been so impressed with the scientific evidence that they have asserted that alcohol is a food surpassing starch and sugar in alimentary value, since weight for weight it contains more energy; whilst at the other extreme a section of total abstainers are apt to regard any statements as to the moderate use of alcoholic drinks, other than those of grave disapproval, as injurious to the temperance cause. It is a matter for regret that the cause of true temperance should require to be bolstered up by the physiological argument; but, if such is the case, then too much care can hardly be taken to base such arguments on established facts.

*ABSTAINERS AND NON-ABSTAINERS IN LIFE ASSURANCE

By EBENEZER DUNCAN, M.D., F.F.P.S.G., J.P.

[From the *American Underwriter*, Sept. 1909.]

The recently-published mortality statistics of what are called Temperance Life Assurance Companies show a considerable difference in their mortality tables in favor of those persons who are bound in terms of their life assurance policy to abstain entirely from the use of alcoholic beverages as compared with the death-rate of the non-abstainer sections of the same offices. It has therefore occurred to me that it might be both interesting to you as insurance officials, and useful to all of us, whether we are abstainers or non-abstainers, to look carefully into the facts and figures which have been adduced by these companies. And, further, to consider carefully the inferences which have been drawn from these facts and figures.

Before the appearance of Mr. Roderick M. Moore's paper entitled "Comparative Mortality among Assured Lives" (published in the *Journal of the Institute of Actuaries* in January, 1903), the comparative death-rates of abstainers and non-abstainers from alcohol assured in such offices were matters of conjecture and opinion. But the elaborate tables published in Mr. Moore's paper have in my opinion, settled the question. Mr. Moore, as Actuary to the United Kingdom Temperance and General Provident Institution, had access to the mass of statistics which that office has collected during a period of 61 years. The elaborate tables of death-rates which he published in 1903 are based on an analysis of the experience of that office, which had conducted business in two sections, abstaining and non-abstaining, from 1841 onwards. It is not necessary for my purpose that I should attempt to follow Mr. Moore through the intricacies of these tables. It seems to me

*Address delivered before the Insurance and Actuarial Society of Glasgow, February 1, 1909.

that the data on which he based his opinions are sufficient to warrant most of the conclusions which have been arrived at by Mr. Moore. Shortly stated they are as follows:

ABSTRACT FROM TABLE XI, H. M. TRANSFERS EXCLUDED,
1841-1901.

Ages	Abstainers.		Non-Abstainers		Taking Non-Abstainers as 100, Abstainers' experience is
	Exposed to Risk	Died	Exposed to Risk	Died	
15-19	5,368	15	1,466	3	136.10
20-24	21,539	70	8,894	36	80.24
25-29	37,243	159	21,329	97	93.84
30-34	40,858	165	29,037	124	94.62
35-39	36,960	155	29,858	191	65.46
40-44	29,606	164	25,963	190	75.68
45-49	21,287	139	19,585	186	68.74
50-54	12,870	127	12,145	152	78.83
55-59	7,018	112	6,753	121	89.06
60-64	2,063	66	1,762	50	112.70
65-69	122	4	94	2	153.40

The percentage of actual deaths to expected deaths in the temperance section taken over this period of 61 years was approximately 71 per cent. In the general section the percentage of actual deaths to expected deaths was 94 per cent. These figures show a difference of 23 per cent. in favor of abstainers. The greatest difference appears to be in the middle period of life between 35 and 55 years of age. The difference between 70 and 74 years of age is comparatively small, and, curiously enough, between 75 and 79 there is a slight difference in favor of non-abstainers. Number XI Table in his paper is specially interesting.

In this table the transfers from the abstainers' section to the non-abstainers' section, and *vice versa*, are excluded. The result is that in the decade between 60 and 70 years of age there is a decided difference in favor of the non-abstainer. This result is

still more marked in Table XII, which refers to female lives. It looks as if in old age a moderate indulgence in wine was favorable to longevity, and this view is in conformity with the opinion expressed by many sages in almost every country from the dawn of history till the present time. We know that the total abstinence party holds the contrary opinion. Mr. Moore states as another result of his researches that at the age of 30, when a man's constitution and habits of life may be considered as settled, the average number of years enjoyed thereafter by the non-abstainers in his life assurance statistics is 35.1, whereas in the abstainers' section the number rises to 30.3. On an average, therefore, he estimates that in the non-abstainers' section the average number of years enjoyed after 40 is 27.4, whereas in the abstainers' section the number rises to 30.0. On an average, therefore, the total abstainers in the temperance section of his office live three years longer than the non-abstainers in the general section. From another point of view his figures bring out that of 100,000 non-abstainers 44,000 reach 70 years of age, whereas of 100,000 total abstainers, 55,000 reach 70 years of age. Mr. Moore sums up his argument by saying that abstainers throughout the entire working years of life, and for every class of policy and for both sexes, however tested, show a marked superiority over non-abstainers.

Mr. Moore, however, admits that in the whole-life policies of females the difference between abstainers and non-abstainers is not so marked as it is among males. "It is not unreasonable," he says, "to assume that the female non-abstainer of the assuring class, if more temperate and careful in her habits, *i.e.*, more closely approaches the abstainer than does the corresponding male." When one looks at his figures, particularly Table XII, it is seen that at advanced ages, 70 to 90, the non-abstaining female has by far the best of it, and, singularly enough, from 30 to 34 years of age the mortality of the abstaining female in his office is 136.6 as compared with 100 for the non-abstaining female. At the intervening ages between 34 and 70 the differences between the two sections of females are not nearly so great as among the males of the similar section. These remarkable irregularities in the figures of Table XII suggest that the data given are not sufficient to warrant any certainty as to the comparative superiority or inferiority of the female lives on either side.

ABSTRACT FROM TABLE XII, H. F. TRANSFERS EXCLUDED, 1841-1901.

Ages	Abstainers		Non-Abstainers		Taking Non-Abstainers as 100, Abstainers' experience is
	Exposed to Risk	Died	Exposed to Risk	Died	
			54	1	
20-24	1,135	8	1,203	8	106.00
25-29	1,897	13	2,904	28	71.06
30-34	2,707	27	4,933	36	136.60
35-39	3,454	31	6,576	69	87.86
40-44	3,927	33	7,983	77	87.36
45-49	4,212	47	8,657	111	87.06
50-54	4,164	51	8,588	120	87.68
55-59	3,719	64	7,971	148	92.68
60-64	3,139	83	6,699	208	85.15
65-69	2,280	94	5,065	225	92.77
70-74	1,412	109	3,239	222	112.60
75-79	629	72	1,607	166	110.80
80-84	183	35	534	101	101.10
85-89	36	10	105	21	138.90
90-94	3	2	27	6	300.00

In the discussion which followed the reading of Mr. Moore's paper at the Institute of Actuaries, certain statements were made by members on the opposite side. Mr. H. W. Manly stated that in the Tables of Statistics of the Clergy Mutual, a General Office, for the period of 1829 to 1887, the abstract showed an expectation of life amongst its members of half a year longer than the abstainers' table given by Mr. Moore. Further, that in 30 years' experience of the Equitable, also a General Office, the experience at every age period was better. It was stated in answer that these assurances dealt with a class of higher social position. It has, however, to be remarked that in the early part of the experience of the Clergy Mutual there were very few abstainers, as the abstinence movement was very little heard of among the middle and upper classes at that time. Most clergymen of the Church of England were in the habit of taking alcohol in the form of port wine or in some other form. For a long time after that a total abstainer was looked upon as a crank.

Mr. A. Levine stated that in a New Zealand insurance department the abstainers' section had not shown any better results than the non-abstainers' section, and that in an office which did a large business in Canada in both sections the mortality experience had been, on the whole, worse in the abstainers' section. Mr. R. P. Hardy, from personal knowledge, corroborated Mr. Levine's statement as to the results in New Zealand, and stated that at the Cape of Good Hope he took out the experience of a small company over a number of years. The classes were absolutely distinct, and "if that company had adhered to keeping the department separate, the abstainers would not have got much more than half the bonus of the non-abstainers, as the mortality among the abstainers was much greater." We have here an evidence of the fallacy of statistics when applied to small numbers. He goes on further to state that many of these men went to the war, and he could not tell in which section the greatest mortality happened. A few Boer bullets would make all the difference on the one side or the other.

All the criticisms I have noted fail to damage the general result of Mr. Moore's inquiry. There cannot be any doubt of the superiority of the male abstainer over the non-abstainer in the United Kingdom Assurance Institution as regards their vitality and length of life. I shall only refer to the testimony of two other British Offices in corroboration of Mr. Moore's conclusion.

The Sceptre Life Association gives its statistics of the two sections over a 25 years' period, 1884 to 1905. In the Temperance Section, out of 1,672 expected claims, the actual claims were 907, showing a percentage of 54.25. In the General Section the expected claims numbered 2,657 and the actual claims were 2,113, showing a percentage of 79.3; the result, therefore, was practically the same as in Mr. Moore's Office.

The Scottish Temperance Assurance Association publishes statistics for the period 1883 to 1892. In that office, on the abstainers' side, the expected claims were 936 and the actual claims 420, equal to 44 per cent. In the General Section the expected claims were 319 and the actual claims were 225, equal to 71 per cent. A consideration of Table XII will show that the numbers dealt with by these offices are too small to found any conclusion upon, but as far as they go they support Mr. Moore's opinions.

Every person who is acquainted with the average insurer is aware that in the non-abstainers' section a certain proportion of persons are known to drink alcoholic beverages to excess, and often to the extent of at least partial intoxication. These bad lives must necessarily bring down the average length of life in that section. There is a second class of persons who are not reputed to drink to excess, but do so. They honestly think that they are temperate and moderate in their habits, but careful enquiry elicits the truth that they habitually exceed the physiological limit in respect of alcoholic beverages, often through ignorance and acquired habit of tolerance which comes from gradual increase in their potations. They are never intoxicated, in the vulgar sense of that word, but they take alcoholic beverages too often and in such amount that it is only partially consumed in the body. The tissues of such persons become soaked with it, and it is constantly being excreted unchanged with their breath and through the skin and kidneys. Although such persons are not drunkards, they do not fall under my definition of a moderate drinker. In my opinion these two classes amount approximately to 20 to 25 per cent. of the insurers in the General Section of insurance offices.

I found this opinion on my own observation of the habits of the middle classes in club life and in private life. I have asked several business friends to estimate for me how many men of their acquaintance they know to take more than one glass of whiskey during their business day, either at luncheon or otherwise. The estimate runs from 20 to 30 per cent. I also found my opinion on enquiries which I have made among the artisans and laboring classes in the hospital with which I am connected. There I find that the excessive drinkers and the total abstainers constitute nearly an equal number—abstainers 20 per cent., excessive drinkers 23 per cent. The 57 per cent. between represents the moderate drinker. The bulk of this class is composed of men who only take two or three glasses of whiskey or beer in the week. The non-abstaining section of a life assurance office cannot therefore be taken as a homogeneous section like the section of total abstainers, and it is absurd in making comparisons to take it for granted, as the total abstinence advocates do, that all the non-abstainers of the General Section of assurance offices are careful livers and moderate drinkers, but I am satisfied that 75 to 80 per cent. of the General Section consists of persons who may be described as moderate

drinkers. As a corollary to this position, I am of opinion that if we could eliminate from the General Section of our insurance offices all those persons who exceed the physiological limit in the use of alcohol, the results shown by the General Sections would be quite as good, or possibly, for certain reasons which I shall afterwards adduce, better than the results shown by the abstainers' section in Mr. Moore's tables.

What, then, is the physiological limit? This expression varies for different classes of people. For the robust adult of middle life at an out-door occupation, the daily amount of alcohol which can be consumed without any apparently deleterious effects averages $1\frac{1}{2}$ ounces. This estimate is based on careful physiological experiments, and is in accordance with the practical experience of most medical men. In conformity with the Food and Drug Acts, whiskey must contain a minimum of 75 per cent. of proof spirit. I therefore estimate that, as sold by the publican, it contains 40 per cent. of absolute alcohol. From these data it is easy to calculate that $3\frac{3}{4}$ ounces of whiskey (a glass and a half) is the physiological limit of daily indulgence for a strong healthy adult man at outdoor work. The equivalent in beer is 30 ounces; the equivalent in claret is 1 pint bottle equals 12 ounces. This amount of alcoholic beverage taken in divided doses with meals or otherwise is entirely consumed within the body. Although alcohol does not add any material to the tissues, it takes the place of some of the fat and perhaps some of the albumen derived from ordinary food, and to this extent it replaces ordinary food in keeping up the animal heat of the body. For this reason it has been found beneficial in circumstances where an insufficient amount of food has been available, and to a certain extent alcohol may make up for such insufficiency.

For the average man of adult age at an indoor sedentary occupation 1 ounce of alcohol is the physiological limit. Its equivalent in alcoholic beverages is 1 glass of whiskey measuring $2\frac{1}{2}$ ounces, 20 ounces of beer, and 8 ounces of claret. The physiological limit for the adult woman is less, and it is now commonly agreed among modern physicians that children should not have alcohol in any form as a beverage. As a counsel of perfection, I myself recommend that all healthy persons under middle age should abstain entirely from alcoholic beverages, and that persons whose family history shows a taint of mental instability or of alcoholism should abstain.

There are variations in the limit of tolerance for alcohol just as is known to be the case in respect of other foods and drugs. There are individuals who can greatly exceed the average dose without suffering, so that in spite of frequent excesses exceptional persons indulging in alcohol far beyond the physiological limit may live to a healthy old age. To sum up my opinion on the use of alcohol, I agree with my total abstinence friends in believing that a healthy man with a good appetite, a good digestion, and in comfortable surroundings can maintain his body in perfect health without indulging in any alcoholic beverage, just as he can and often does maintain his body in perfect health without the use of tobacco, ginger-beer, or lemonade; but I am just as certain that if a healthy adult man who can afford it desires as a luxury a glass of wine or a glass of beer with his dinner, he is perfectly entitled to take it, and should not be prevented from obtaining it by any legislative enactment. He will do himself no harm if he keeps strictly, as I am bound to say in my experience the great majority of men do, within the physiological limit of moderation. I would even allow him the comfort and sedative effect of a small whiskey and water at night when he comes home tired and worried with a hard day's work.

Up till quite recently alcohol was admitted to be a valuable medicine, and in every abstainers' section of a Temperance Insurance Company the members were permitted to take alcoholic beverages in sickness when these beverages were prescribed by their medical attendants. Now a new crusade has begun. Alcohol is being denounced by the extremists as a virulent poison dangerous even in the smallest doses to the healthy, and useless as a medicine to the sick. I am not greatly impressed by the poison argument. Like many other wholesome substances, it is undoubtedly poisonous in excessive quantity. In small doses such as I have indicated, we know that alcohol is not a poison to the ordinary man. Many wholesome foods contain virulent poisons, but in such minute quantities that they do us no harm. Cherries and plums contain hydrocyanic acid, one of the most virulent poisons known. Tea and coffee contain a poisonous alkaloid, and the very air we breathe contains carbonic acid gas, which under certain circumstances, in sufficient quantity, is a virulent poison. Illustrations of this truth might be found *ad nauseam*. The old saying is, "one man's food is another man's poison." This is not the place to enter upon

the merits of alcohol as a drug. I shall content myself with affirming that in my own experience I have had valuable aid from alcohol in promoting the recovery of many sick persons, and I have seen cases of emergency in which lives have been saved with alcohol which in my view would have been sacrificed had its aid been refused at the critical stage of the disease.

We meet sometimes with fanatical abstainers who say, "I would rather die than allow alcohol in any form to enter my lips." It is quite conceivable that such persons may suffer from refusing in conditions of illness and in dangerous crises to take the aid which alcohol can offer. This is one of my reasons for believing that the non-abstainer section, if confined entirely to temperate men, would probably show better results than a section which contains an increasing number of such intemperate persons. I think we might in a truly temperance section show as good results as the Clerical Mutual or the Equitable, both General Assurance Offices above referred to, which have been proved to show better results than the United Kingdom Office. It is a well-known fact that ginger beer and various other forms of temperance drinks contain alcoholic essences, and it has been proven by the chemists in the Government laboratories that a considerable percentage of such drinks exceed the limit of alcohol allowed by the Excise, 2 to 3 per cent. of proof spirit. Some temperance drinks have been shown to contain as much alcohol as ordinary table beer. As the favorable health returns of the abstinence section show that these alcoholic temperance drinks have not done any harm, and as it is also proven that a considerable percentage of persons insuring in the abstainers' section had in earlier life taken alcohol pretty much like their neighbors, no principle can be violated in going a little further and advocating that the temperance section of life assurance societies should admit all those persons who do not exceed the moderate amount of alcoholic beverages which I have included as within the physiological limit.

I think there is a great field for some enterprising life insurance office that has the courage to open a real temperance section. We are having options offered of almost every kind except this. Let a new option be offered to temperate people of the same rates as those given to total abstainers. Why should temperate men continue to be penalized by the presence of intemperate persons in the general section of life assurance offices? My proposal is that

in the new temperance section which I now suggest, assured persons should declare annually that they do not exceed the daily amount of alcohol that I have indicated as the physiological limit for the average man—one glass of whiskey, or its equivalent. An office offering this option would attract not only all the temperate users of alcohol, but also that numerous class who, while they rarely take any alcoholic beverage, object to sign away their liberty by taking a total abstinence pledge. Further, such a society would be of the highest value to the true temperance movement. Year after year it would proclaim to its members, and through them to the public, the necessity for strict moderation in the use of alcoholic beverages as in the use of every other good gift which man receives from the bountiful hand of Almighty God.

I have the greatest respect and admiration for many of my total abstinence friends. I believe they are actuated by the highest motives, and that they do a great service to the community in loudly calling attention to the evils of the drink traffic. Sir Thomas Whittaker, M.P., in a speech delivered in the course of a discussion at the Institute of Actuaries, described a teetotaler as a strenuous, conscientious, active, fighting, worrying, driving sort of fellow. It is not a very flattering, but often a true description. I am bound to say, however, that I have found some strong teetotalers genial, generous, and lovable men, but with characteristic failings, and one of the worst of them is a habit of exaggeration and intemperance in their statements about moderate and temperate indulgence in beverages containing a percentage of alcohol, and about the evils, often imaginary, of such moderate indulgence. I would venture to suggest to them that they should give up using the word Temperance in connection with societies which demand, in conformity with their fundamental principles, a pledge for total abstinence from every member, and which also demand that the State shall carry out a policy of total abolition of the sale of alcoholic beverages. In spite of their good intentions, such societies stand in the way of reasonable and moderate reforms which might be carried if they would only give up demands for impossible legislation and join forces with moderate men who desire as much as they do to promote the cause of temperance and the improvement of the social condition of the people.

The facts demonstrated by Messrs. Rowntree and Sherwell, in their book on the Temperance problem, are conclusive proof

that total abolition as attempted in the United States of America has been an entire failure. Not only does drinking go on unchecked in the towns of the Prohibition States, but a reign of untruthfulness, bribery, and hypocrisy has been the result of attempting to carry out legislative enactments which cannot be enforced, because public opinion will not permit of the drastic measures which would be required to do so. If they could have in such towns an autocratic government like that of the ancient Mexicans, who clubbed to death every young man found in a state of intoxication and stoned to death every young woman for a similar offence, it might be done.

The Draconic procedures which would be needed to entirely abolish the liquor traffic and enforce total abstinence by the majesty of the law, will never be possible in a democratic State. The battle of the true temperance party can only be won by rational means directed towards the uplifting of the whole moral and social life of the people—by evolutionary and not by revolutionary measures.

THE SALOON, A SOCIAL INSTITUTION.

WHAT IT MEANS TO THE WORKINGMAN—ATTEMPT TO FIND SUBSTITUTES.

Following is an abstract of an address delivered by Hugh F. Fox, Secretary of the United States Brewers' Association, at the First Universalist Church, Lansing, Mich., on February 27, 1910.

Your Church is to be commended for its courage in facing, so fairly and deliberately, this problem of the saloon. Much of the talk about the saloon is based on ignorance and prejudice; on theories and assumptions. I am not here tonight as an advocate, an apologist, or a defender. I propose to stand off, with you, and look at this social institution that we call the saloon; to touch for a moment on its historic evolution, to analyze its function—to consider, with you, what it is, why it is, if it serves any useful purpose, and whether there is anything that takes its place.

All countries, whether civilized or savage, have, in every age, prepared an exhilarating drink of some kind. Brewing was a skilled industry in Egypt, long before the Christian Era, and the ancient city of Pelusium was noted for its breweries, as well as for its universities. The Greeks, who derived the greater part of their civilization from the Egyptians, got the art of brewing from them. At the time of Christ, the city of Herculaneum had no less than 900 public houses. In the earliest days of Roman rule in England, the Roman roads had houses of entertainment for man and horse. These old Roman public houses were swept away by the Anglo-Saxon invaders, and travelers found shelter in the monasteries. The increase of travel taxed the monasteries so greatly that they had to subsidize lodging houses, which in due time became inns. Some of them had chapels attached to them, in which the traveller gave thanks for his safe journey. The Pilgrims' Inn at Glastonbury is one of these monastic legacies. The Eng-

lish tavern has played an important part in the social history of the country. It was the meeting place of poets and wits from the days of Shakespeare to those of Johnson and Addison. The licensed houses of the eighteenth century were used for public meetings of all sorts. The Swedenborg Church was organized in 1783 through a meeting called in a public house.

The early settlers of New England built their churches and their taverns almost side by side. Indeed the conditions of the license often required it, though the inn keepers were required to clear their houses during the "hours of exercise." Great inducements were offered persons to keep an "ordinary"; such as land grants, free pasturage, or exemption from church rates and school taxes. The court records of colonial days are full of enactments to encourage beer brewing. Thus the President of Harvard wrote to the court in behalf of "Sister Bradish," that she might be encouraged in her making of bread and brewing and selling of beer. The Rev. Sumner G. Wood in his recent history of "The Taverns and Turnpikes of Blandford," says that the tavern has been a fundamental institution in the development of New England society. "It should be classed perhaps third with the church and school as formative and expressive of the life and institutions of the people. The corner tavern goes with the town, helped to make the town grow, gathered within its precincts much of what was best in town life, became a deep and fruitful soil in which local traditions took root, nourished men of distinction, and made history for town, commonwealth and nation."....."The tavern was the people's club. There they met together for the common exchanges of life, as they assembled on Sunday for their religious exchange. There they discussed the topics of the neighborhood, chatted with strangers and travellers, asked of the stage driver the news, talked politics, and in fine did that which the modern citizen does at the club and over his newspaper."

The historians of New England emphasize the high personal and social standing of the tavern keepers. They held the confidence of the people so completely that they were frequently honored with public office. President Timothy Dwight of Yale comments on the pains the government took to prevent the inns from being kept by "vicious, unprincipled, worthless men!" The significance of this is a matter to which your attention is especially directed. I shall come back to it again presently.

WHAT THE SALOON REALLY IS.

Now let us get down to the modern substitute for the inns and taverns of our forefathers; the place that we call a "Saloon." The word was originally defined as "a spacious or elegant apartment for the reception of company," and later as "a hall for public entertainment or amusement." Its application to the places where alcoholic liquors are sold and drunk is exclusively American, and dates back to the period immortalized by Dickens in "Martin Chuzzlewit," when dry goods stores became "emporiums," barbers called themselves "tonsorial artists," and undertakers blossomed out as "embalmers and funeral directors." What is this modern saloon? A recent clerical writer has characterized it as a place which is marked by "ribald talk, low obscenity, and loud profanity"—and he got about as near to—or as far from—the truth as most of the men who are professionally engaged in the exploitation of the anti-saloon movement. I rarely read a so-called temperance address without being reminded of Uncle Esek's adage—"Tain't the Ignorance in the World, so much as 'tis the Knowin' so many things that ain't so!" Let me put Mr. Royal L. Melendy on the witness stand. I quote from his articles on "The Saloon in Chicago," which were published by the *American Journal of Sociology* in 1900 and 1901. Mr. Melendy's articles were based on a most thorough first hand investigation. He says:—

"The popular conception of the saloon as a 'place where men and women revel in drunkenness and shame,' or 'where the sotted beasts gather nightly at the bar,' is due to exaggerated pictures, drawn by temperance lecturers and evangelists, intended to excite the imagination with a view to arousing public sentiment. I am not charging them with intended falsehood, but with placing in combination things which never so exist in real life; with blending into one picture hideous incidents taken here and there from the lives of those whom the saloon has wrecked; with portraying vividly the dark side of saloon life and calling this picture 'the saloon.' But it may be asked: 'Are they not justified in doing so? Are not these the legitimate products of the saloon? By their fruits ye shall know them.' Let one step into your orchard, and, gathering into a basket the small, worm-eaten, and half-decayed windfalls, return to you saying: 'This is the fruit grown in your orchard—as the fruit, so is the orchard.' The injustice is apparent."

In a recent address, Mr. John Koren, the most profound student of the liquor problem that we have in this country, said: "No one understands so well the art of evoking social hysteria as the professional anti-saloon agitator. It is a part of his stock in trade. Witness his terrifying and emotional oratory in which a statement of facts plays the smallest part. See him leading bands of women and children to the polls marching, singing, praying, and doing everything to prevent the expression of an untrammelled opinion. It is another form of the mob spirit which ends in misrule."

I presume that some of you are familiar with the volume on "Substitutes for the Saloon," which was published in 1901 by the Committee of Fifty, as a result of the careful study made by the Rev. Raymond Calkins, under the direction of Professor Francis G. Peabody, of Harvard, Prof. Wm. M. Sloane of Columbia, and Dr. Elgin R. L. Gould, who is so well known in connection with practical tenement and housing reforms. Hear what these careful investigators have to say:—

"The saloon, economically considered, is a place where intoxicating liquors are sold at retail. The commercial motive is, and must be the basis of every saloon. The saloon keeper is primarily a business man. But the saloon itself goes beyond this, and supplies a deeper and more subtle want than that of mere animal thirst. This want is the demand for social expression, and how it is met becomes clear by noting what elements are needed to create what we may call a 'social center.' These elements are the absence of any time limit, some stimulus to self-expression, and a kind of personal feeling toward those into whose company we are thrown, which tempts one to put away reserve and enjoy their society. Such a center the saloon evidently is. Let us consider these elements. First as to the time limit. In the saloon there is no time limit. Loafing is not prohibited, and there are no placards telling men to move on. The saloon keeper is anxious to have a man stay. The stimulus to sociability is present, irrespective of the quality of the liquor and the attractiveness of the saloon. An expense of five cents will put the patron at any time into what we may call the social temper. But, best of all, he meets his fellows, and is met by them in the direct and personal way that breaks down the reserve, and causes at once the springs of his social nature to act. The saloon is the most democratic of institutions. Everyone is welcome."

AS TO SUBSTITUTES.

Perhaps some of you are familiar with the work of the Rev. James E. Freeman, of Yonkers, who is the head of that remarkable institution known as Hollywood Inn? He is the author of a most thought provoking work called, "If not the Saloon—What?" He says:—"The religious, or even partly religious club, no matter how unobtrusive its system, must fail in its efforts after anything like a saloon substitute. The saloon is to the poor man the center and source of much of his social life. It is the place of his contacts. It is the home of much of his amusement; and to the man of temperate habits it is as legitimate a place of innocent recreation as the clubs of the rich, with their luxurious fittings and splendid appointments. From this aspect of it, there is evident a condition to be reckoned with in which the saloon becomes a necessity rather than a thing to be utterly annihilated."

The late Bishop Potter was also a close student and observer of the saloon, and a man who really knew working people in their homes. In his little booklet on "The Drink Problem," Bishop Potter remarks:—"One kind of a man goes to a saloon to get an intoxicant, and for no other reason. Another goes there for any one of a half dozen purposes: refreshment, amusement, companionship, information, physical easement, business appointment, or mere change; for which last, you, my brother, go next door, or to the club, and which all sensible people regard as wholly innocent. Now then the strength of the saloon keeper has been in keeping the supply of these different wants together."

One of the most careful studies of the actual life of working men in this country, was made ten years ago by Prof. Walter E. Wyckoff of Princeton. You will doubtless remember that he hired out as a laborer in various industries, in the West and the East, and published his experiences in two volumes, called "The Workers." Prof. Wyckoff testifies that "the saloon in relation to the wage-earning classes of America is an organ of high development, adapting itself with singular perfectness in catering in a hundred ways to the social and political needs of men."

Just one more witness, Prof. Augustus R. Hatton of Western Reserve University, Ohio, whose paper on "The Liquor Traffic and City Government" made such an impression at the 1908 meeting of the National Municipal League. Prof. Hatton said:—"The description of the saloon as the 'poor man's club,' is not without

an element of truth. Among the poor of our larger cities the open saloon is a place of cheer and comfort, at once a relief from the monotony of toil and more attractive than the place called home. Besides, it is only too often the only place which offers satisfaction for a real social craving."

Mr. Melendy says that the saloon, "untrammelled by rules and restrictions, surpasses in spirit the organized club," and he adds, "Most incredible of the facts which the study of the saloon revealed to me, was the relatively small amount of drunkenness." "From prolonged observation, and from conference with the keepers and patrons of saloons, I believe I am not far from the truth in stating that about 50 per cent. of the men who go to the saloons go there primarily for drink. The other 50 per cent. go there for such various legitimate motives as have been discussed. The first 50 per cent., who go there to satisfy the drink element in our nature, substitution will not reach. Of the remaining only a portion can be drawn into these substitutes, both because in number they are inadequate and in adaptation poorly suited to their needs."

"The liquor traffic may, and in time undoubtedly will, be regulated and controlled by legislation—it may be robbed to a great extent of its social functions by substitution, and of its monopoly in catering to certain necessities by their supply by proper authorities; yet beer-drinking, under these regulations and conditions, will always be more or less common among the masses of the laboring people.

"That substitution will not entirely do away with the liquor traffic (and it is being seriously questioned by thoughtful people, who are acquainted with the conditions as they are, whether the complete abolition of the saloon in its best forms is, after all, desirable) need discourage no one. There is a large work that substitution can accomplish, and one that is more needed in Chicago at present than legislation."

I will come back to this matter of substitution presently.

WHY THE SALOON PERSISTS.

I have cited these opinions, because they are based on investigations conducted by men of trained minds and large experience; men who are intimately associated with social-welfare work in its best and broadest aspects; men who have a scientific regard

for truth and accuracy, and who weigh their words and reach their conclusions, in the spirit and by the method of scientific thoroughness and caution. Is it not significant that these men, studying the same question, but at different times, and from different viewpoints, should have all reached the same conclusion? Hemmed in on every side by law, constantly harassed and restricted, opposed by every contrivance the mind of man could invent, competing with every substitute that ingenuity can devise, the saloon persists in existing and flourishing. Does not its very persistence prove that it fills a fundamental need? Have any other social institutions, excepting the church and the school, lived so long and changed so little as the saloon in its fundamental character? And yet, in spite of the saloon, society has changed, the standard of decent living is steadily improving, and the world at large has become sober and temperate. The true temperance of our time has not been promoted by prohibition; it has not been induced by compulsion or suppression. The note of the new century is efficiency; efficient democracy, efficient national and local government; efficiency in manufacturing, in agriculture, in all industrial work, and all the arts and crafts. Proficiency in the professions, efficiency in the conduct of our affairs. The new patriotism consists in living for your country, not in dying for it. The Japanese taught us the lesson, in their recent war with Russia. And so we pass laws for pure food, pure milk, pure water; we insist on fresh air, we are clamoring for parks and playgrounds, and are beginning to demand a square deal for the workman in hazardous and unhealthy occupations. Of course, this all means that individuals are gradually learning to live sanely and temperately. Under the stress of modern competition, a man must be master of his faculties, or he cannot keep his place. The old idea of total abstinence is being replaced by the new idea of moderation, both in eating and drinking; in other words of self-control. The health-motive of efficiency is a tremendous social dynamo, which is perhaps doing more to move the masses than any other impulse. But the individual must still be treated as an individual. The whole philosophy of the new method of dealing with the errant class, is the need of personal consideration. Men cannot be formed or reformed or transformed in the mass. They must learn to stand up alone!

It is just at this point that the prohibition movement breaks down. The man of means is not inconvenienced by the abolition

of the saloon; it is not intended that he should be. The men of the well-to-do class, with all the resources of culture; with art, music and literature at their command; with luxurious homes and all the comforts that can be devised—these men must have their clubs, and they are seldom interfered with, even in Kansas! The poor man has a score of real needs for a social centre to the rich man's one—but—the prohibitionist says he cannot be trusted! We treat him as an equal in some things, and a child in others. Isn't it time to stop trying to baby him, and to take the chance which God takes, of letting him work out his own salvation? The whole modern temperance movement seems to me to be based on a false system of philosophy and morality. It is a combination of Special Providence and the Policeman's Club! Isn't it about time that the Reformer took Human Nature into his calculations, and recognized that the saloon simply reflects and answers to the gregarious character of men?

Now a word about substitutes for saloons. The subject is somewhat baffling—because it is so largely negative. The members of the Committee of Fifty who studied the matter, say that to be at all effective the substitutes must offer “a warm, well lighted place, where every man is welcome at all times of day, and far into the night. A place where some sort of *agreeable* beverage is dispensed, at a reasonable price. A place where certain kinds of food may be had free, or at a nominal price. A place with ‘conversation in it,’ which at times will serve as a reading room, a club room, an employment agency, and not infrequently as a place where a regular patron, may ‘get the help of a small loan.’ All this to be presided over by a man, who makes his customers feel at home, and who is ‘one of them.’ ”

In the course of Mr. Melendy's investigation, a letter, inclosing a blank with the following questions was sent to each of the 751 clergymen in Chicago:

1. What organization has your church that is specifically for men or young men?
2. What are its social features?
3. What are its recreative features?
4. State the number of meetings a month.
5. State membership.
6. State the average attendance.
7. At what time are the club rooms at the disposal of the members?

Over 500 of the churches failed to reply, either because of opposition to substitution by the churches, or to inactivity. Only 79 had made any advance along this line, and of these 54 were largely literary, and only "now and then" had a "social occasion." In commenting on these 751 churches of Chicago, Mr. Melendy says:

"A large number of these are stately edifices, yet too often they are but magnificent monuments erected over the grave of buried opportunities. Few there are among the masses. Few there are in places of greatest need, of greatest temptation. Closed during the greater portion of the week, as social substitutes they count for very little. Seldom does one find so large a sum of money put to so little advantage as that invested in these buildings, used on comparatively so few occasions."

It is the common experience of social workers in this country, that American workmen rather resent having things done for them. They want their pleasures uninfluenced by philanthropy. They won't stand being patronized or supervised; they won't tolerate an attitude of conscious superiority on the part of others who want to benefit them. This is one of the reasons why church clubs and Y. M. C. A.'s and even model towns like Pullman and the Cash Register place have had such a limited success, with workingmen. The church clubs and Y. M. C. A.'s are doing fine work, in their way, and with a particular class—but that class as a rule does not include the workingman!

In explaining why the substitutes fail, the Committee of Fifty says: "The substitutes are often located in out of the way places, not easily accessible for the working man. Often they close their doors when men would be most likely to enter. Thus a famous one in Philadelphia is open from eight in the morning until ten in the evening—an hour which usually finds the workingman the most pleasantly engaged in settling affairs of state, with his fellow workman in the corner saloon. Too little account is taken of man's social nature. Men will not patronize a place where the feeling prevails that some one is doing something for them. The workingman rightly resents the intrusion of the philanthropic or religious idea. The majority of those attached to the saloon do not, perhaps cannot, analyze the cause of its attractiveness, but they feel the difference between the warmth and cheer of the saloon, and the repellent atmosphere of many of the substitutes."

I have emphasized the importance of the saloon to the workman, because to him it is, at present, apparently essential. Of course it appeals largely to other classes too, but there is no time to consider any other phase of it now.

NO SUBSTITUTE FOR THE SALOON.

The conclusion of the men who studied the subject of substitutes for the saloon may be summed up in the following brief but remarkable statements:—"The saloon is primarily a drinking place; its real business is to satisfy the desire for intoxicating liquors. When therefore, we turn to consider the possibility of meeting the saloon in open competition on its chosen field, we face a more difficult problem than we have yet met, a problem which, strictly speaking, is *incapable of solution*. THERE IS NO SUBSTITUTE FOR THE SALOON AS A DRINKING CENTER BECAUSE THERE IS NO SUBSTITUTE FOR ALCOHOL. Alcohol is a stimulant to sociability. It warms the cockles of the heart and promotes good cheer. Tea, coffee, and ginger ale in any quantity cannot rival in this respect a single glass of beer. And in this very fact lies the gist of the whole matter."

"One of the first demands which the saloon satisfies is the desire for the companionship of one's fellows. The saloon, however much it has departed from its ancestral pattern, still performs the function of the ancient tavern; it is the same common center where the isolated personal experience is merged in the common lot of all. The tavern instinct of our forefathers is the chief impulse, aside from the desire for drink itself, which draws their hosts within the saloons that line our streets. This instinct must be reckoned with. It is deep-seated, and will resist to the end any effort to deprive it of the means of its satisfaction."

Herein is the strength, the *raison d'être*, of the saloon of today which, after all, is only a survival of the Roman Road House of five thousand years ago. Cannot one pertinently note, that only when the essence which makes for this endurance has changed, will the thing itself change; that its very endurance has been because of its innate qualities; and that only when we find a substitute for human nature will we need a substitute for the saloon?

Just a word about Michigan. You in Michigan have suffered through the operation of a bad law. The act of 1887 was really only a tax law, under which practically anyone who could satisfy

its financial demands might engage in the traffic. Under the over-competition which ensued, a number of disreputable places started up, against which there was, I am told, just cause for complaint. The present law however, gives the local authorities discretion as to licensing, and enables them to limit the number of licenses. The saloon problem, under such a law, is therefore, simply a part of the problem of honest and intelligent municipal government, and there is no reason why you should have any saloons that are disreputable or objectionable, if you elect the right men to manage your municipal affairs.

There is no time to go into the evils of prohibition tonight, but it is not really necessary. The evidence of it is overwhelming. If you have the slightest doubt of it, or if you desire to study it, you can find any amount of data at the nearest library—or you can get it in your own State's history.

PROSPERITY OF THE BREWING INDUSTRY.*

While the condition of all trades is a matter of common concern, the beer business is specially interesting because it is such an infallible barometer of general industrial conditions. When capital and labor are employed in constructive development, when the building trades are active, railroads prosperous, factories running full time, and the coal and iron men receiving steady wages, the laborer regards beer as a necessity. But in hard times, after his savings are gone and poverty begins to pinch, beer becomes a luxury, which he has to deny himself. He does not, however, lose his taste by self-denial, and the beer-drinking-habit is readily resumed as soon as he can afford it. There is a curious analogy to be drawn between the savings bank deposits and the beer sales, for they seem to go up and down together. In times of sudden panic, neither the savings banks nor the brewers are immediately affected, and it is not until the consequent industrial depression has become general, and the labor market slumps, that savings are withdrawn and the sales of beer fall off. Thus the beer consumption for the year which ended June 30, 1893, actually showed an increase of 8.58 per cent. over the previous year, but the sales for the year following showed a decrease of 3.68 per cent., and the sales for the year ended June 30, 1895, showed a decrease of three per cent., as compared with 1893.

The volume of the beer trade in the United States during the past decade is shown by the table on the next page.

The sales for the year which ended June 30, 1909, showed a decrease of 4.14 per cent., which may be accounted for, in part, by the spread of prohibition, although in the main it is believed to be due to industrial conditions. The detailed figures will not be known until the complete report of the Commissioner of Internal Revenue is published. The preliminary report, which was issued on July 27, only gives the gross total, and this shows a decrease of 2,444,183 barrels. I have, however, obtained reports from

*Hugh F. Fox in *The Annals of the American Academy of Political and Social Science* for November, 1909.

several collection districts in the important manufacturing States, which furnish conclusive evidence that the decrease is largely due to industrial conditions. For instance, in the first Pennsylvania district, which takes in Philadelphia and vicinity, there was a decrease of a fraction over five per cent., and the figures for Western Pennsylvania, will it is believed, show a still larger decrease. This is particularly significant, as there is no dry territory in the State of Pennsylvania. Connecticut and Rhode Island show a decrease of 2.40 per cent. In Greater New York, which is certainly not dry territory, the decrease is also nearly five per cent., and the same conditions are reported from the district which includes Newark and Jersey City. It is believed that the tide has now turned, for the months of June, July, August and September, 1909, show a marked increase over the sales of the same months in 1908. The increase in August alone amounted to 480,685 barrels, which makes up for twenty per cent. of the entire decrease of the previous fiscal year.

Year.	Beer sales (to June 30) in barrels of 31 gallons.	Percentage of increase or decrease, as compared with each previous year.
1898	37,493,306	.....
1899	36,581,114	2.43 per cent. Decrease.
1900	39,330,848	7.52 per cent. Increase.
1901	40,517,078	3.02 per cent. Increase.
1902	44,478,832	9.77 per cent. Increase.
1903	46,650,730	4.89 per cent. Increase.
1904	48,208,133	3.34 per cent. Increase.
1905	49,459,540	2.59 per cent. Increase.
1906	54,651,637	10.49 per cent. Increase.
1907	58,546,111	7.12 per cent. Increase.
1908	58,747,680	.34 per cent. Increase.
1909	56,303,496	4.14 per cent. Decrease.

The following table shows the beer sales by States for the fiscal year which ended June 30, 1908, with the increase and decrease as compared with 1907. The total production of 1908 was slightly larger than that of 1907, in spite of the decrease which took place in the business in dry territory. The table indicates the relatively small importance of the prohibition movement in the Southern States. The total of the sales for the entire territory south of Ohio was only 2,817,672 barrels, which is less than five per cent.

SALES OF BEER IN 1908.

States and Territories.	Increase as compared		Decrease.
	1908	with 1907.	
Alabama.....	89,566	.....	23,681
Arkansas.....	11,775	1,875	.....
California and Nevada.....	1,259,175	39,551	.....
Colorado and Wyoming.....	437,780	38,734	.....
Connecticut and Rhode Island.....	1,239,905	17,150	.....
Florida.....	14,968	.....	2,232
Georgia.....	118,370	.....	57,490
Illinois.....	5,535,167	111,887	.....
Indiana.....	1,365,420	.....	46,906
Iowa.....	411,455	.....	9,501
Kansas and Oklahoma.....	27,100	.....	14,885
Kentucky.....	738,381	.....	5,152
Louisiana.....	510,258	19,993	.....
Maryland, Delaware and District of Columbia.....	1,443,952	.....	9,830
Massachusetts.....	2,201,861	43,011	.....
Michigan.....	1,539,833	18,528	.....
Minnesota.....	1,337,976	99,044	.....
Missouri.....	3,841,337	.....	7,356
Montana, Idaho and Utah.....	464,042	41,082	.....
Nebraska and South Dakota.....	428,933	32,086	.....
New Hampshire.....	301,132	.....	22,231
New Jersey.....	3,178,958	40,560	.....
New Mexico and Arizona.....	27,197	.....	2,150
New York.....	12,962,152	.....	54,752
North Carolina.....	10	10	.....
Ohio.....	4,401,313	78,172	.....
Oregon, Washington and Territory of Alaska.....	1,068,023	6,302	.....
Pennsylvania.....	7,569,557	27,761	.....
South Carolina.....	4,090	1,089	.....
Tennessee.....	260,638	.....	30,257
Texas.....	546,917	.....	9,859
Virginia.....	192,774	.....	17,069
West Virginia.....	341,700	7,459	.....
Wisconsin.....	4,875,965	.....	109,174
Total barrels.....	58,747,680	624,094	422,525

of the total production, and this includes Kentucky, Louisiana, Texas and the Virginias, which are "wet" States. The total production in Alabama, Georgia, the Carolinas and Tennessee, now under prohibition, in 1908, was only 471,000 bbls., and the Georgia brewers are still doing business at the old stand. There is, however,

a considerable quantity of beer shipped into the Southern States from Milwaukee, St. Louis and Cincinnati, and from other points on the border line. I do not know just what the total of these shipments is, but it is estimated at over a million barrels.

By the way, the Statistical Abstract of the United States for 1908, published recently by the Department of Commerce and Labor, is illuminating. It reveals that the per capita consumption of wheat, flour, corn and corn meal, sugar and coffee decreased in 1908, as compared with 1907, much more largely than the decrease in the per capita consumption of beer. The consumption of tea for some unexplained reason dropped from 1.10 pounds per capita in 1906 to .99 in 1907, and went up again to 1.07 in 1908, but the amount of tea consumed, as compared with coffee, is very small. The exact figures are as follows:

	Per capita consumption.		Per cent of decrease in per capita consumption 1908 as compared with 1907.
	1907	1908	
Wheat and wheat flour.	6.86 bushels.	5.40 bushels.	21.28 <i>Decrease</i>
Corn and corn meal.	33.11 bushels.	29.10 bushels.	12.11 <i>Decrease</i>
Sugar	82.61 pounds.	75.42 pounds.	8.70 <i>Decrease</i>
Coffee	11.36 pounds.	10.04 pounds.	11.62 <i>Decrease</i>
Tea	.99 pounds.	1.07 pounds.	8.08 <i>Increase</i>
Malt liquors.	21.23 gallons.	20.97 gallons.	1.20 <i>Decrease</i>
Distilled spirits	1.63 pf. gallons.	1.44 pf. gallons.	11.66 <i>Decrease</i>
Wines	— .67 gallon.	— .60 gallon.	10.44 <i>Decrease</i>

The enormous expansion of the American beer trade, which has marked the progress of the temperance movement, is, of course, remarkable, but it is due, in part, to the unprecedented increase in the urban population. It is generally estimated that eighty-five per cent. of the entire beer business of the United States is a city trade. At the same time, the percentage of increase during the past twenty years in beer production, is believed to be much larger than the percentage of increase either in the total population of the country, or in the urban population. The total population of the United States in 1890 was 63,037,704, and in 1900, 76,303,000, an increase of 21.04 per cent. The urban population in 1890 was 20,768,881, and in 1900, 28,411,698, an increase of 36.8 per cent. The beer sales in 1890 were 27,561,944 barrels, and in 1900, 39,330,848 barrels, which shows an increase of forty-three per cent. The comparative figures of the urban and rural population of the past decade are not, of course, available, but the total population in 1908 is esti-

mated at 89,770,126, being an increase of 17.52 per cent. since the 1900 census was taken. The beer sales increased from 36,581,000 barrels, in 1899 to 58,747,680 barrels in 1908, an increase of 60.6 per cent. Evidently, therefore, the consumption of beer is increasing much faster than either the total or the urban population. In this connection, it is interesting to note that the sales in the principal revenue districts for 1908 were 41,422,295 barrels, which was seventy per cent. of the total sales. These revenue districts comprise the following cities and vicinities, in the order of importance named: New York, Chicago, Milwaukee, St. Louis, Philadelphia, Newark, Pittsburg, Boston, Cincinnati, Albany, Rochester, Baltimore, Cleveland and Scranton.

In preparation for this article I addressed an inquiry to the principal brewing centers, asking for information showing the trend of the trade, and its relation to industrial conditions, the prohibition movement, weather conditions, soft drinks, the resort business, Sunday closing, etc., etc. Replies were received from twenty of the most important distributing points, representing sixteen States. The substance of these replies indicates that over half of the decrease in the beer sales during the past year was caused by industrial depression, and that probably twenty per cent. of the beer is now sold in bottles. There has been no marked displacement of beer by soft drinks, even in dry territory. In the largest cities the Sunday beer business is variously estimated from five per cent. to fifteen per cent. of the total, but where the saloons have been closed on Sundays during the past two or three years, there has been a considerable increase in the trade in bottled beer. There is no doubt that the family consumption of beer is increasing everywhere out of all proportion to the general beer consumption. The perfection of bottling machinery, improved methods of distribution, reduced cost, and the advertising campaign which brewers are now entering upon, all tend to develop this branch of the business. Besides this, however, the operation of prohibition and local option tends to bring the consumer direct to the producer, and the demand for bottled beer in dry towns has become sufficiently important to indicate the promise of a profitable mail-order business. There is, indeed, little new territory to be found in connection with the saloon trade, except as new cities spring up with the expansion of the railroads, and the development of suburban points, for there is hardly a city of any size that does not now have quite

as many saloons as are actually needed for the reasonable convenience of the public. But every family within the range of a delivery wagon now has its own ice-box, and can keep beer at a palatable temperature, and when once a family tries the experiment, and finds how pleasant and harmless it is, the habit is almost sure to become fixed. Curiously enough, the development of the bottled beer business is decreasing the "growler" or bucket trade. The workingman's family in the cities is getting into the custom of keeping bottled beer on the premises, instead of sending to the nearest saloon for a pail of draught beer at meal times.

With the exception of the family trade, it seems to be the general opinion of the brewers that the country business is hardly worth having. The waste from loss of packages and broken bottles is considerable, the volume of the trade is small and collections are expensive and uncertain. Of course, when a family has a case of beer sent by express, the cost of the bottles is included in the bill. The draught beer business of the average country saloon is usually very small, and the freight charge relatively high. The following letter is enlightening on this subject:

"In New England the country trade is no considerable factor. Rural New England is dry, because the preponderance of rural sentiment is against license. Dry territory takes considerable beer in bottle. But our belief is that no more than a third of our own product in bottles goes into country districts. Of our own draught beer, probably ninety-five per cent. is sold and consumed in cities and towns of 10,000 and upwards. We might hazard the guess then, that not more than fifteen per cent. of our own product at the outside is for rural consumption; though we do not undertake to give actual figures. The tendency in the country is towards the use of spirits, as evidenced not only by the character of the mail-order business which the cities carry on with the rural people, but by the fact that the saloons of small license towns in the center of rural communities sell their out-of-town customers far more than the urban proportion of spirits to beer. What the country market might become if ale and beer might legally be sold, no one can say; but the rural communities are the stronghold of prohibition as a matter of fact under any system of local option, and they bear the inevitable result of prohibition in the shape of little beer and much whiskey. In this section, then, the country market for draught beer is negligible, for bottled beer is only passable, but for the dis-

tiller it is a mint. Draught beer, in the large, is sold in the cities, and the industrial towns."

The average percentage of alcohol in draught beer is from three to three and one-half per cent., and in bottled beer from three to four per cent. It seems to be the general experience that the Near Beers, which have been exploited so much during the past eighteen months, are not giving satisfaction, and will not be a permanent factor in the business. These beers, which are sometimes called "Uno" and other fantastic names, contain only about one per cent. of alcohol, and are practically soft drinks. They look like beer, and smell like it, but as a Southern critic puts it, "It ain't got no conversation." One of the leading brewers writes about it as follows:

"We do not make 'Near Beer,' or 'one per cent.' as it is called in this section. Our observation is that it is not liked, is used only under compulsion, has its real function as a cover for the illegal sale of spirits, and has no permanent commercial future on its merits or as a satisfactory substitute for the more substantial fermented malt beverages. The volume of sales of 'near beer' fluctuates greatly. In territory newly dry, sales are large so long as prohibition is rigidly enforced, but as soon as enforcement slacks off in newly dry territory, conditions become what they are habitually in long dry territory—that is, the 'near beer' sales drop off to a minimum, employed chiefly as a cover for the sale of contraband spirits. In general, sales of 'near beer' furnish a fairly accurate barometer for judging the rigidity or laxness of enforcement of prohibition."

Another brewer writes that "at one time it looked as if Near Beer was going to play an important part in the business, but as long as the public can get the genuine product, they will not drink an imitation of it." I find that this opinion is quite generally confirmed by brewers in different sections of the country.

All of my correspondents are agreed as to the relation of the weather to the beer business. Many brewers keep a record of weather conditions in relation to their daily sales. In fact, some brewers go so far as to say that weather governs the volume of business, other conditions being normal, and that the thermometer is a true indicator of the beer sales. A Chicago brewer puts the matter thus:

"We have some data showing the relation of the weather to beer consumption, but our data are not as complete as we would

like to have them. However, the information does show that in warm dry days we sell considerably more beer than in moist and cool days. In July, 1908, for instance, it rained eight days, and the average temperature for the month was seventy degrees. In the same month of the year previous it only rained seven days and the average temperature was seventy-three degrees. In July, 1907, we sold a great deal more beer than in July, 1908. The largest proportion of the decrease in 1908 was of course due to hard times and the wave of prohibition, which hit us pretty hard a month or two previous, but we think the weather conditions also had a great deal to do with it. In July, 1909, we only had six rainy days and the temperature averaged seventy-three degrees, and the sales were just as large as in 1907. Taking different days in the same month we find the same conditions exist; for instance, the twenty-third and twenty-fourth of June this year we sent out considerable beer, but it rained on those days, and the next five days the weather was excellent. The first two of the five days the sales were very small, because the customers had stocked up on the two rainy days, but the last three of those five days the sales showed increases of several hundred barrels each day."

A number of my correspondents find a close connection between the immigration figures and the beer sales, which, of course, is perfectly natural. The schedules of the Bureau of Immigration which are made up for the year ending June 30th, correspond to the fiscal year of the Revenue Department and of the brewers. The number of immigrants and aliens admitted to the United States for the two years which ended June 30, 1907, was 2,386,084, and for the two years subsequent, 1908 and 1909, 1,534,656, a decrease of over thirty-five per cent. The actual difference is much greater because of the large number of immigrant aliens who departed from the United States during the same period. In 1908 alone, these reached a total of 395,073 persons. The attempt to get data as to the nationalities which comprise the principal beer drinkers in the United States is baffling because of the universality of beer drinking. Practically every nationality that is found in the census list is mentioned by one brewer or another as being particularly good customers. One naturally associates beer drinking with Germans and the English speaking races, but the Italians in this country have adopted the beverage almost universally, and the Russians, Poles, Scandinavians and Belgians are

all noted among the regular beer drinkers. Some brewers, however, speak of the native American as being their best customer. The fact is that in this country, as in Europe, the beverage has become so popular that it is evidently destined to be the universal drink of the future.

The growth of the lager beer business, which comprises ninety-five per cent. of the entire beer business in the United States, is most remarkable when it is considered that it has only been in popular favor for about fifty years. Dr. Benjamin Rush of Philadelphia, who is often spoken of as the real father of the temperance movement in the United States, labored persistently over a century ago to popularize beer as a measure of temperance. The introduction of the internal revenue system in 1861 gave a powerful impetus to brewing, and the business was helped along by the German immigration, which at that time had assumed large proportions. From 1863 to 1909 the brewers have paid no less than twelve hundred million dollars of revenue into the United States Treasury.

The capital invested in American breweries is now estimated at five hundred and fifty million dollars, which puts it sixth in the list of the three hundred industries that are mentioned in the United States Census of Manufactures, published in 1905.* Eighty per cent. of the capital invested is represented in the cost of buildings and machinery. In the same bulletin is given the average yearly wage in the various industries, and it is interesting to note that brewery employees are at the head of the entire list, their average wage being given as \$719.64. The government report shows that "in the manufacture of beer, labor gets one dollar out of every \$5.50 produced. In the manufacture of flour, labor gets one dollar out of every \$26.35 produced. In the manufacture of fruit preserves, labor gets one dollar out of every \$6.35 produced. In the manufacture of cheese, butter and condensed milk, labor gets one dollar out of every \$16.50 produced. In the manufacture of coffee and spices, labor gets one dollar out of every \$27.75 produced. In the manufacture of cordage and twine, labor gets one dollar out of every \$7.70 produced. The list might be extended to the same effect. It is clear that the brewing industry does well by labor, pays the highest wages and gives the workingman the largest proportionate share in the financial profit."

*Census Bulletin No. 57.

In common with other great industries there is a marked tendency in the brewing trade towards the concentration of the business in the hands of the largest concerns. There are some 1,600 breweries in the United States. One hundred and fifteen brewing companies sold during the year which ended June 30, 1909, over 28,000,000 barrels, constituting about forty-eight per cent. of the total output. Many of these companies are consolidations of a number of brewing plants, so that they represent some 200 plants.

The following table will show the growth of the business since 1880 in the various divisions of States:

States.	1880	1890	1900	1908
North Atlantic.....	7,967,534	14,491,585	19,592,693	27,453,565
South Atlantic.....	343,380	904,249	1,447,163	2,115,864
North Central.....	4,673,371	10,290,605	15,433,470	23,764,499
South Central.....	250,058	695,006	1,289,893	2,157,53
Western.....	512,768	1,180,499	1,567,629	3,256,217
Totals.....	13,747,111	27,561,944	39,330,848	58,747,680

The percentage of increase was as follows:

States	1890 over 1880.	1900 over 1890.	1908 over 1900.
North Atlantic.....	81.8	35.2	40.1
South Atlantic.....	163.2	60.6	46.3
North Central.....	120.2	50.1	53.4
South Central.....	177.7	85.8	67.7
Western.....	130.4	32.8	107.7

The growth of beer manufacture in the South is clearly shown in the above table. Until the development of the ice machine, brewing was practically restricted to the northern States. Thus, up to about 1880, most of the beer consumed in the South was shipped in from the breweries of the North. With the perfection of refrigerating machinery, however, and the scientific discoveries which made it possible to brew and store beer in any climate, breweries began to spring up in all the important cities of the South. In many cases capital was secured from the North, by the inducements which were offered by local enterprise. In fact it is not too much to say that the cities of the South solicited the brewing trade, and that most of the breweries in the Southern States were originally built by northern men with northern capital, under the assurance of moral support and an unlimited franchise.

There is no doubt that lager beer has already changed the drinking habits of the masses in the cities of the South, and that it has been an important factor in promoting true temperance. But the men who lead the prohibition movement do not discriminate between beer and spirits, and in the wild hysteria which has marked the recent exploitation of the temperance sentiment, all beverages which contain alcohol have been classed together, excepting only cider—which is an “agricultural product,” though it contains fifty per cent. more alcohol than bottled beer—and patent medicines—which are supposed to be taken with a wry face, and must therefore be good for both body and soul. But the people of the cities are so thoroughly dissatisfied with the imposition of prohibition that there will surely be a readjustment before long, and with this will come a great expansion in the beer business in all the progressive Southern States.

APPENDIX

TABLES OF STATISTICS INTERNAL REVENUE

A.—Receipts from tax on beer by the United States Treasury for the fiscal years ended June 30, 1908 and 1909:—

	1908	1909
From barrel tax on beer.....	\$58,747,680.14	\$56,303,496.68
Brewers' special tax.....	155,129.29	157,997.59
Dealers in malt liquors.....	904,807.38	994,917.15
Total.....	\$59,807,616.81	\$57,456,411.42
which shows on		
Barrel tax.....		Decrease \$2,444,183.46
Brewers' special tax.....		Increase \$2,868.30
and on		
Dealers in malt liquors.....		90,109.77
Total.....		Net Decrease \$2,351,205.39

The quantity of fermented liquors manufactured during the last two fiscal years on which tax was paid, is as follows:—

	1908	1909
Number of barrels.....	58,747,680	56,303,497

Receipts for the fiscal years ended June 30, 1908 and 1909:—

FERMENTED LIQUORS.	Year ended June 30, 1908	Year ended June 30, 1909	Increase	Decrease
Fermented Liquors, tax of \$1.00 per barrel.....	\$58,747,680.14	\$56,303,496.68	....	\$2,444,183.46
Brewers (special tax).....	155,129.29	157,997.59	\$ 2,868.30	....
Retail Dealers in Malt Liquors (special tax).....	340,125.49	402,801.66	62,676.17	....
Wholesale Dealers in Malt Liquors (special tax).....	564,681.89	592,115.49	27,433.60	....
Total.....	\$59,807,616.81	\$57,456,411.42	\$92,978.07	\$2,444,183.46
			Net Decrease	\$2,351,205.39

A1.—Receipts for first three months, current fiscal year.

The following table shows the receipts from fermented liquors for the first three months of the fiscal years ended June 30, 1909 and ending June 30, 1910. A comparison of the receipts for the two periods is also given.

FERMENTED LIQUORS	Amount of tax paid during first three months of fiscal year—		Increase.	Decrease.
	1909.	1910.		
Ale, beer, lager beer, porter and other similar fermented liquors.....	\$17,101,246.41	\$17,466,826.91	\$365,580.50	
Brewers (special tax).....	86,945.70	78,200.02		\$ 8,745.68
Retail dealers in malt liquors (special tax).....	238,092.36	214,824.64		23,267.72
Wholesale dealers in malt liquors (special tax).....	309,911.42	282,093.57		27,817.85
Total.....	\$17,736,195.89	\$18,041,945.14	\$365,580.50	\$59,831.25
Net Increase \$305,749.25				

COMPARATIVE STATEMENT showing the INTERNAL REVENUE RECEIPTS (TAX PAID PRODUCTIONS) from MALT LIQUORS for the Nine Months ended March 31, 1909 and 1910.

Months.	Fiscal Year 1909	Fiscal Year 1910	Increase	Decrease.
1908-1909				
July	\$ 6,187,833.47	\$ 6,204,896.52	\$ 17,063.05	
August	5,540,162.01	6,020,847.02	480,685.01	
September ..	5,373,250.93	5,241,083.37		132,167.56
October.....	4,676,266.19	4,481,396.36		194,869.83
November...	3,845,592.63	4,452,539.72	606,947.09	
December...	4,267,387.08	4,210,041.98		57,345.10
1909-1910				
January	3,380,368.11	3,558,062.28	177,694.17	
February ...	3,466,223.93	3,530,174.41	63,950.48	
March.....	4,079,222.60	4,993,793.48	914,570.88	
	\$40,816,306.95	\$42,692,835.14	\$2,260,910.68	\$384,382.49
Net Increase \$1,876,528.19				

RETURNS OF FERMENTED LIQUORS BY FISCAL YEARS.

B.—*STATEMENT showing the INTERNAL REVENUE RECEIPTS from FERMENTED LIQUORS at SIXTY CENTS, ONE DOLLAR, ONE DOLLAR AND SIXTY CENTS and TWO DOLLARS per BARREL of THIRTY-ONE GALLONS, the TAX-PAID QUANTITIES, THE AGGREGATE COLLECTIONS, AMOUNTS REFUNDED, and the AGGREGATE PRODUCTION, from September 1, 1862, to June 30, 1909.*

Fiscal years ended June 30	Rates of Tax	Collections at each Rate	Quantities in Barrels	Aggregate Collections	Refunded	Aggregate Production in Barrels
1863..	\$1 00	\$885,271 88	885,272	\$1,628,933 82	\$	2,006,625
1864..	60	872,811 53	1,121,353	2,290,009 14	.....	3,141,381
1865..	1 00	1,376,491 12	2,294,152	.....	.....	.....
1866..	1 00	847,228 61	847,229	.....	.....	.....
1867..	1 00	3,657,181 06	3,657,181	3,734,928 06	.....	3,657,181
1868..	1 00	5,115,140 49	5,115,140	5,220,552 72	.....	5,115,140
1869..	1 00	5,819,345 49	6,207,402	6,057,500 63	.....	6,207,402
1870..	1 00	5,685,663 70	6,146,663	5,955,868 93	.....	6,146,663
1871..	1 00	5,866,400 98	6,342,055	6,099,879 54	24,090 61	6,342,055
1872..	1 00	6,081,520 54	6,574,617	6,319,126 90	800 00	6,574,617
1873..	1 00	7,159,740 20	7,740,260	7,889,501 82	4,288 80	7,740,260
1874..	1 00	8,009,969 72	8,659,427	8,258,498 46	1,365 82	8,659,427
1875..	1 00	8,910,823 83	9,638,323	9,324,937 84	1,747 11	9,638,323
1876..	1 00	8,880,829 68	9,600,897	9,304,679 72	1,122 42	9,600,897
1877..	1 00	8,743,744 62	9,452,697	9,144,004 41	849 12	9,452,697
1878..	1 00	9,159,675 95	9,902,352	9,571,280 66	8,860 54	9,902,352
1879..	1 00	9,074,305 93	9,810,060	9,480,789 17	21,107 84	9,810,060
1880..	1 00	9,473,360 70	10,241,471	9,937,051 78	3,098 69	10,241,471
1881..	1 00	10,270,352 83	11,103,084	10,729,320 08	1,291 58	11,103,084
1882..	1 00	12,346,077 26	13,347,111	12,829,802 84	30 75	13,347,111
1883..	1 00	13,237,700 63	14,311,028	13,700,241 21	.....	14,311,028
1884..	1 00	15,680,678 54	16,952,085	16,153,920 42	.....	16,952,085
1885..	1 00	16,426,050 11	17,757,892	16,900,615 81	243,033 20	17,757,892
1886..	1 00	17,573,722 58	18,998,619	18,084,954 11	.....	18,998,619
1887..	1 00	17,747,006 11	19,185,953	18,250,782 03	7,382 78	19,185,953
1888..	1 00	19,157,612 87	20,710,933	19,667,731 29	133 33	20,710,933
1889..	1 00	21,387,411 79	23,121,526	21,922,187 49	3,974 59	23,121,526
1890..	1 00	22,329,202 80	24,680,219	23,324,218 48	.....	24,680,219
1891..	1 00	22,325,863 94	25,119,853	23,723,835 26	.....	25,119,853
1892..	1 00	25,494,798 50	27,561,944	26,008,534 74	.....	27,561,944
1893..	1 00	28,192,327 69	30,478,192	28,565,129 92	31 67	30,497,209
1894..	1 00	29,431,498 06	31,817,836	30,037,452 77	20 00	31,856,626
1895..	1 00	39,962,743 15	34,554,317	32,548,983 07	21,559 23	34,591,179
1896..	1 00	30,834,674 01	33,334,783	31,414,788 04	24,577 62	33,362,373
1897..	1 00	31,044,304 84	33,561,411	31,640,617 54	188 20	33,589,784
1898..	1 00	35,139,141 10	35,826,098	33,784,235 26	4,993 90	35,859,250
1899..	1 00	31,841,362 40	34,423,094	32,472,162 07	.....	34,462,822
1898....	2 00	34,480,524 23	35,112,426	.....	.....	.....
1899....	2 00	4,404,627 40	2,380,880	39,515,421 14	.....	37,529,339
1899....	1 00	2,070 31	2,070	.....	.....	.....
1900....	2 00	67,671,231 00	36,579,044	68,644,558 45	1,106 90	36,697,634
1900....	2 00	72,762,070 56	39,330,849	73,550,754 49	117,559 01	39,471,593
1901....	2 00	74,956,593 87	40,517,078	5,669,907 65	83,539 58	40,614,258
1902....	1 60	71,166,711 65	44,478,832	71,988,902 39	9,177 69	44,550,127
1903....	1 00	446,652,577 14	46,650,730	47,547,856 08	20,538 81	46,720,179
1904....	1 00	48,208,132 56	48,208,133	49,083,458 77	44,396 35	48,265,168
1905....	1 00	49,459,539 93	49,459,540	50,360,553 18	8,934 26	49,522,029
1906....	1 00	54,651,636 63	54,651,637	55,641,858 56	20,261 45	54,724,553
1907....	1 00	58,546,110 69	58,546,111	59,567,818 18	7,488 11	58,622,002
1908....	1 00	58,747,680 14	58,747,680	59,807,616 81	7,002 28	58,814,033
1909....	1 00	56,303,496 68	56,303,497	57,456,411 42	9,937 87	56,364,360
Total.	.....	\$1,235,265,038 43	1,152,046,036	\$1,260,301,173 14	\$704,490 98	1,153,196,316

NOTE.—Prior to September 1, 1866, the tax on fermented liquors was paid in currency, and the full amount of tax was returned by collectors. From and after that date the tax was paid by stamps, on which a deduction of 7½ per cent. was allowed to brewers using them.*

*The Act of July 24, 1897, repealed the 7½ per cent. discount. The Act of June 13, 1898, restored the 7½ per cent. discount.

Under the Acts of March 2, 1901, and April 12, 1902, no provision is made for any discount.

The difference in quantities beginning with 1891 is to be accounted for as exported.

†Includes \$4,924.85, at \$1.60 per barrel.

Of the \$704,490.98 refunded, \$372,425.91 was refunded from Fermented Liquors to Brewers and \$332,065.07 to others than Brewers.

RETURNS OF FERMENTED LIQUORS UNDER EACH ACT OF LEGISLATION.

C.—*STATEMENT, showing the amount of Internal Revenue derived from Fermented Liquors at One Dollar and Two Dollars per Barrel, and at One Dollar and Sixty Cents, and Sixty Cents per Barrel, under the enactments imposing those rates, the quantities on which the Tax was paid, the date when each rate was imposed and when it ended, and the length of time each rate was in force, from July 1, 1862, to June 30, 1909.*

Articles.	Rates of tax per barrel.	Dates of Acts.		Length of time rates were in force. <i>Months</i>	Collections at each rate.	Quantities in Barrels.
		First Imposing the tax.	Limiting tax.			
Ale, beer, lager-beer, porter and other similar fermented liquors.	\$1 00	July 1, 1862	Mar. 3, 1863 (Limiting to) Mar. 31, 1864)	6	\$885,271 88	885,272
Ditto.....	60	Mar. 3, 1863	.....	13	2,049,302 65	3,415,504
Ditto.....	1 00	July 1, 1862	.....	410½	568,800,055 65	611,891,249
Ditto.....	2 00	June 13, 1898	.....	36½	219,794,522 83	118,807,851
Ditto.....	1 60	Mar. 2, 1901	.....	.....	71,166,711 65	44,478,832
Ditto.....	1 00	Apr. 12, 1902	.....	84	372,569,173 77	372,567,328
Total.....	.....	.....	.....	.....	\$1,235,265,038 43	1,152,046,036

NOTE.—The act of July 1, 1862, went into operation September 1, 1862. The act of March 3, 1863, provided that the tax on fermented liquors should be 60 cents per barrel from the date of the passage of that act to April 1, 1864. Hence the tax of 60 cents per barrel having expired by limitation April 1, 1864, the tax of \$1 per barrel under act of July 1, 1862, was again revived, and this rate under different acts continued in force from and including that date until the passage of the act of June 13, 1898, when the tax was increased to \$2 per barrel. The Act of March 2, 1901, reduced the tax to \$1.60 per barrel to take effect July 1, 1901. The Act of April 12, 1902, restored the tax to the original tax of \$1.00 per barrel, to take effect July 1, 1902.

D.—Stamps for fermented liquors and brewers' permits issued to collectors for purchasers during the ten fiscal years ended June 30, 1909.

1900.....	Number, 84,150,340	Value, \$78,771,368.34
1901.....	" 87,302,120	" 81,070,513.00
1902.....	" 106,813,400	" 77,195,853.00
1903.....	" 97,224,400	" 47,718,950.00
1904.....	" 95,805,300	" 48,241,025.00
1905.....	" 97,478,200	" 50,818,591.67
1906.....	" 107,784,000	" 55,320,100.00
1907.....	" 114,585,600	" 59,827,950.00
1908.....	" 110,205,300	" 58,587,900.00
1909.....	" 104,622,100	" 56,527,204.17

Total.....1,005,970,760 \$614,079,455.18

E.—Statement of Fermented Liquors Removed from Breweries in Bond, Free of Tax, from July 1, 1908 to June 30, 1909, under Act of June 18, 1900.

	1908 Gallons	1909 Gallons
Removed for export and unaccounted for July 1, 1908 and 1909, respectively.....	284,074	183,479
Removed for direct exportation.....	272,795	248,842
Removed in original packages, to be bottled for export.....	148,656	163,924
Removed by pipe line, to be bottled for export....	1,635,493	1,473,985
Excess reported by bottlers.....	5,877	6,365
Total.....	2,346,895	2,076,595

E.—Continued.—Statement of Fermented Liquors Removed from Breweries in Bond, Free of Tax, from July 1, 1908 to June 30, 1909, under Act of June 18, 1890.

	1908 Gallons	1909 Gallons
Exported in original packages, proofs received.....	276,887	239,719
Exported in bottles, proofs received.....	1,830,738	1,567,337
Removed for export, unaccounted for, tax paid....	14,450	10,025
Excess reported by bottlers.....	41,341	32,417
Removed for export, unaccounted for, June 30, 1908 and 1907, respectively.....	183,479	227,097
Total.....	2,346,895	2,076,595

NOTE.—The last drawback amounting to \$378.09, was paid in 1892, and none since.

E½.—Fermented Liquors removed from Breweries in Bond for Export during the years ended June 30, 1908 and 1909, by Districts.

DISTRICT	1908 Gallons	1909 Gallons
Alabama.....	16,182	3,596
California, first.....	.....	4,805
" fourth.....	3,735	975
Colorado.....	.....	2,205
Connecticut.....	914	.....
Hawaii.....	1,333	930
Illinois, first.....	4,092	.....
Indiana, sixth.....	3,875	5,890
" seventh.....	16,450	27,096
Kentucky, fifth.....	12,400	6,200
" sixth.....	.....	1,178
" seventh.....	2,222	.....
Louisiana.....	36,604	74,539
Massachusetts, third.....	4,479	775
Minnesota.....	36,644	15,533
Missouri, first.....	443,441	420,842
New Jersey, fifth.....	7,684	7,115
New York, first.....	33,045	33,542
" second.....	14,670	6,386
" third.....	6,642	11,617
" twenty-eighth.....	.....	2,100
Ohio, first.....	76,198	73,191
" eleventh.....	49,445	28,861
Texas, third.....	25,451	25,296
Virginia, sixth.....	1,240	806
Washington.....	190,482	172,586
Wisconsin, first.....	1,024,706	906,717
" second.....	45,010	53,970
TOTAL.....	2,056,944	1,886,751

F.—Table showing by States and Territories the production and the collections, also the per centum of each of total collections from fermented liquors for the years ended June 30, 1908 and 1909.

STATES AND TERRITORIES.	1908.				1909.			
	TAX PAID PRODUCTION IN BARRELS.	Fermented Liquors, per Barrel, of not more than 31 galls., \$1.00.	TOTAL COLLECTIONS ON FERMENTED LIQUORS.	Per Cent. of Total Collections from all Sources of Int. Rev.	TAX PAID PRODUCTION IN BARRELS.	Fermented Liquors, per Barrel, of not more than 31 galls., \$1.00.	TOTAL COLLECTIONS ON FERMENTED LIQUORS.	Per Cent. of Total Collections from all Sources of Int. Rev.
1 Alabama (d).....	89,566	\$89,566.00	\$101,208.62	.040	57,204	\$57,204.36	\$73,009.85	.030
2 Arkansas.....	11,775	11,775.00	17,969.11	.007	10,425	10,425.00	15,937.10	.007
3 California.....	1,246,533	1,246,532.84	1,285,625.29	.511	1,188,695	1,188,694.63	1,231,354.92	.500
4 Colorado.....	437,780	437,780.00	447,304.57	.178	411,399	411,398.88	431,349.68	.175
5 Connecticut.....	1,239,905	1,239,904.75	1,262,828.38	.502	1,211,588	1,211,588.00	1,237,985.74	.503
6 Delaware (a).....	14,968	14,968.00	19,565.64	.008	15,750	15,750.00	20,724.09	.008
7 Florida.....	118,370	118,370.00	134,944.55	.054	115,155	115,155.00	152,205.05	.062
8 Georgia.....	5,535,167	5,535,167.13	5,613,862.33	2.231	5,525,473	5,525,473.50	5,611,524.36	2.279
9 Idaho (b).....	1,365,420	1,365,419.85	1,404,083.22	.558	1,272,017	1,272,016.85	1,310,597.39	.532
10 Illinois.....	411,455	411,454.54	450,914.63	.179	437,177	437,177.28	485,010.31	.197
11 Indiana.....	27,100	27,100.00	65,215.76	.026	5,872	5,871.50	21,618.97	.009
12 Iowa.....	738,381	738,380.71	750,207.30	.298	704,710	704,710.25	726,039.78	.295
13 Kansas.....	510,258	510,257.93	522,885.12	.208	473,027	473,026.52	488,188.92	.198
14 Kentucky.....	1,443,952	1,443,952.25	1,461,892.51	.581	1,376,610	1,376,609.75	1,396,780.18	.567
15 Louisiana.....	2,201,861	2,201,861.50	2,228,315.78	.885	2,042,993	2,042,992.80	2,070,590.80	.841
16 Maine (c).....	1,539,833	1,539,832.75	1,578,844.00	.627	1,483,207	1,483,207.25	1,524,486.58	.619
17 Maryland.....	1,337,976	1,337,975.78	1,397,488.62	.555	1,411,570	1,411,570.14	1,468,003.77	.596
18 Massachusetts.....	3,841,337	3,841,336.61	3,880,328.72	1.542	3,704,978	3,704,978.65	3,741,686.56	1.520
19 Michigan.....	464,042	464,042.00	486,139.61	.193	460,528	460,528.00	486,015.17	.197
20 Minnesota.....	383,088	383,088.00	416,925.27	.166	389,820	389,820.25	420,767.88	.171
21 Mississippi (d).....	301,132	301,132.25	320,994.41	.128	274,733	274,733.00	294,518.78	.120
22 Missouri.....	3,178,958	3,178,958.00	3,214,473.81	1.277	3,114,713	3,114,712.50	3,145,725.84	1.278
23 Montana.....	12,962,152	12,962,152.42	13,025,627.84	5.176	12,572,042	12,572,042.12	12,638,733.83	5.133
24 Nebraska.....								
25 Nevada (e).....								
26 New Hampshire.....								
27 New Jersey.....								
28 New York.....								

F (continued).—Table showing by States and Territories the production and the collections, also the per centum of each of total collections from fermented liquors for the years ended June 30, 1908 and 1909.

STATES AND TERRITORIES.	1908.				1909.			
	TAX PAID PRODUCTION IN BARRELS.	FERMENTED LIQUORS, of not more than 31 galls., \$1.00.	TOTAL COLLECTIONS ON FERMENTED LIQUORS	Per Cent. of Total Collections from all sources of Int. Rev.	TAX PAID PRODUCTION IN BARRELS.	FERMENTED LIQUORS, of not more than 31 galls., \$1.00.	TOTAL COLLECTIONS ON FERMENTED LIQUORS	Per Cent. of Total Collections from all sources of Int. Rev.
29 North Carolina.....	10	\$10.00	\$10,264.96	.004	.....	.....	\$ 13,514.96	.006
30 North Dakota.....	45,845	45,845.00	77,332.07	.031	44,940	44,940.00	80,796.12	.033
31 Ohio.....	4,401,313	4,401,312.98	4,449,781.21	1.768	4,058,438	4,058,437.87	4,097,116.36	1.664
32 Oklahoma.....	.....	.....	.....	.....	.....	.....	.....	.....
33 Oregon.....	196,905	196,905.00	204,523.78	.081	194,231	194,230.50	204,759.72	.083
34 Pennsylvania.....	7,569,557	7,569,556.67	7,655,866.16	3.042	7,050,262	7,050,261.25	7,145,918.76	2.902
35 Rhode Island (g).....	.....	.....	.....	.....	.....	.....	.....	.....
36 South Carolina.....	4,090	4,089.92	8,801.29	.003	5,157	5,157.50	8,166.73	.003
37 South Dakota (f).....	.....	.....	.....	.....	.....	.....	.....	.....
38 Tennessee.....	260,638	260,638.50	268,754.47	.107	255,200	255,200.00	272,129.90	.111
39 Texas.....	546,917	546,917.51	609,974.85	.242	552,976	552,976.46	630,526.98	.256
40 Utah (b).....	.....	.....	.....	.....	.....	.....	.....	.....
41 Vermont (c).....	.....	.....	.....	.....	.....	.....	.....	.....
42 Virginia.....	192,774	192,773.78	200,378.78	.080	164,267	164,266.68	177,732.57	.072
43 Washington.....	871,118	871,118.00	888,842.74	.353	816,667	816,666.68	843,188.02	.342
44 West Virginia.....	341,700	341,700.00	355,154.18	.141	293,189	293,188.75	306,869.35	.125
45 Wisconsin.....	4,875,965	4,875,964.99	4,942,171.16	1.964	4,569,941	4,569,940.91	4,634,766.34	1.882
46 Wyoming (i).....	.....	.....	.....	.....	.....	.....	.....	.....
1 Alaska (h).....	.....	.....	.....	.....	.....	.....	.....	.....
2 Arizona (k).....	.....	.....	.....	.....	.....	.....	.....	.....
3 Dist. of Col'bia (a).....	.....	.....	.....	.....	.....	.....	.....	.....
5 New Mexico.....	27,197	27,197.50	33,644.90	.013	24,525	24,525.50	31,668.63	.013
6 Hawaii.....	12,642	12,641.98	14,481.17	.006	14,018	14,018.35	16,401.43	.007
7 *Oklahoma (l).....	.....	.....	.....	.....	.....	.....	.....	.....
8 Philippine Islands.....	.....	.....	.....	.....	.....	.....	.....	.....
9 Porto Rico.....	.....	.....	.....	.....	.....	.....	.....	.....
Total.....	58,747,680	\$58,747,680.14	\$59,807,616.81	23.765	56,303,497	\$56,303,496.68	\$57,456,411.42	23.336

a. Part of collection district of Maryland.
b. " " " " Montana.
c. " " " " New Hampshire.
d. " " " " Alabama.
e. Part of collection district of California.
f. " " " " No. & So. Dakota.
g. " " " " Connecticut.
h. " " " " Washington.
i. Part of collection district of Colorado.
j. " " " " New Mexico.
k. " " " " Kansas.

NOTE.—The total receipts from all sources of Internal Revenue for the year ended June 30, 1908, amounted to \$251,665,950.04. The total collections from fermented liquors for the same period amounted to \$59,807,616.81, or 23.765 per centum of the above \$251,665,950.04.
The total receipts from all sources of Internal Revenue for the year ended June 30, 1909, amounted to \$246,212,719.22. The total collections from fermented liquors for the same period amounted to \$57,456,411.42, or 23.336 per centum of the above \$246,212,719.22.
* Now State of Oklahoma.

G—Table showing the number of persons who paid special taxes as brewers, retail and wholesale dealers in malt liquors, and retail and wholesale liquor dealers, for the fiscal years ended June 30th, 1908 and 1909:—

STATES AND TERRITORIES	BREWERS.		Retail Dealers in Malt Liquors.		Wholesale Dealers in Malt Liquors.		Retail Liquor Dealers.		Wholesale Liquor Dealers.	
	1908	1909	1908	1909	1908	1909	1908	1909	1908	1909
1 Alabama.....	4	3	434	587	89	59	1,319	1,147	71	59
2 Arkansas.....	1	1	139	140	61	65	925	949	61	61
3 California.....	91	105	500	532	389	468	15,117	15,747	732	778
4 Colorado.....	12	12	78	205	112	148	2,247	3,190	91	121
5 Connecticut.....	31	21	137	157	257	314	3,405	3,496	64	78
6 Delaware.....	6	6	20	23	8	15	392	335	8	7
7 Florida.....	3	1	152	164	55	44	824	712	55	79
8 Georgia.....	4	4	1,600	1,521	130	105	1,398	1,091	79	18
9 Idaho.....	15	15	39	65	61	58	1,306	1,140	19	13
10 Illinois.....	118	117	1,630	1,506	956	875	21,734	20,477	400	434
11 Indiana.....	39	43	617	612	388	466	8,513	7,746	101	104
12 Iowa.....	23	22	630	564	565	625	4,454	4,258	80	72
13 Kansas.....	2	2	658	493	103	72	2,559	1,899	11	10
14 Kentucky.....	25	22	336	412	82	165	3,320	3,213	253	222
15 Louisiana.....	11	11	125	296	137	140	4,561	4,289	188	196
16 Maine.....	4	4	480	506	40	47	344	657	2	4
*17 Maryland.....	25	30	162	267	171	190	4,716	3,917	136	151
18 Massachusetts...	38	40	216	230	428	436	4,770	4,722	225	219
19 Michigan.....	91	89	542	578	392	455	9,238	8,871	73	79
20 Minnesota.....	79	75	1,532	1,405	628	549	6,524	6,381	116	120
21 Mississippi.....	1	...	90	223	25	14	406	424	37	15
22 Missouri.....	54	52	562	598	481	425	8,418	8,028	219	248
23 Montana.....	21	18	120	157	120	167	2,142	2,432	40	48
24 Nebraska.....	15	14	353	348	465	526	2,462	2,410	46	43
25 Nevada.....	5	5	7	9	66	68	1,845	1,674	34	28
26 New Hampshire	4	6	99	72	83	82	855	845	23	26
27 New Jersey.....	43	53	293	268	584	526	10,674	10,509	178	187
28 New York.....	204	197	482	463	684	756	35,579	34,066	1,225	1,277
29 North Carolina...	1	...	458	930	37	38	656	618	34	24
30 North Dakota...	...	...	769	1,003	38	64	798	827	1	1
31 Ohio.....	125	119	261	199	624	522	13,655	12,523	401	362
32 Oklahoma.....	...	1	...	179	...	38	...	1,509	...	22
33 Oregon.....	23	20	53	287	105	93	2,312	2,167	68	50
34 Pennsylvania.....	251	248	737	706	1,029	1,020	17,645	18,682	645	652
35 Rhode Island...	5	7	32	21	55	63	1,882	1,790	43	48
36 South Carolina...	4	1	258	146	15	10	596	642	20	15
37 South Dakota...	4	4	153	197	152	165	1,334	1,321	28	25
38 Tennessee.....	6	10	384	758	44	64	1,589	1,289	105	105
39 Texas.....	14	15	2,797	2,781	388	393	3,377	3,194	69	78
40 Utah.....	4	5	49	56	64	55	996	967	27	22
41 Vermont.....	...	...	94	68	21	29	231	232	5	3
42 Virginia.....	8	6	195	553	65	71	2,336	1,470	93	55
43 Washington.....	40	36	197	195	200	231	4,097	3,988	123	125
44 West Virginia...	15	15	161	207	224	192	1,495	1,332	31	27
45 Wisconsin.....	155	145	839	830	677	619	11,698	11,738	114	116
46 Wyoming.....	3	3	27	40	56	73	499	738	16	19
1 Alaska.....	4	6	7	5	6	12	472	519	11	8
2 Arizona.....	2	2	6	12	36	39	922	919	28	27
3 Dist. of Col....	5	5	53	37	33	13	1,002	921	26	20
4 †Indian Terr....	...	...	...	...	...	...	...	...	...	...
5 New Mexico.....	2	3	26	27	63	71	1,281	1,123	28	18
6 †Oklahoma.....	3	...	826	...	112	...	1,173	...	20	...
7 Hawaii.....	1	3	19	43	24	22	419	370	93	80
8 Philippine Isl....	...	...	...	...	...	...	...	...	...	...
9 Porto Rico.....	...	...	...	...	...	...	...	...	...	...
Total.....	1,644	1,622	20,434	21,681	11,628	11,757	230,512	223,504	6,626	6,599

*Includes Accomac and Northampton counties, Virginia.

†New State of Oklahoma.

H.—Table showing Tax paid Fermented and Distilled Liquors, corresponding Quantities, estimated increase of Population, and Quantity per Capita for the fiscal year ended June 30, 1909, by States and Territories, also number of Retail Dealers, and Population to each Dealer.

STATES AND TERRITORIES.	FERMENTED LIQUORS.		DISTILLED LIQUORS.		Population Estimated Increase since 1900 16.54266 %	Per Capita Quantity		Number of Retail Dealers	Population per Dealer
	Tax paid at \$1.00 per Barrel of 31 Gallons.	Quantities in Gallons.	Tax Paid at \$1.10 per Gallon.	Quantities in Gallons.		Liquors Ferm. Dist. Gallons.			
1 Alabama.....	\$ 57,204.36	1,773,324	\$ 16,856.09	15,324	2,131,212	.45	.00	1,734	1,229
2 Arkansas.....	10,425.00	323,175	35,666.99	32,424	1,528,532	.21	.02	1,089	1,404
3 California.....	1,188,694.63	36,849,545	4,758,273.89	4,325,704	1,730,720	20.70	2.43	16,279	106
4 Colorado.....	411,398.88	12,753,369	118,767.99	107,971	628,981	17.31	.15	3,395	185
5 Connecticut.....	1,211,588.00	37,559,228	134,900.51	122,637	1,058,697	24.11	.08	3,653	290
6 Delaware.....					215,295	22.17	1.84	358	801
7 Florida.....	15,750.00	488,250	48,055.15	43,687	615,977	.79	.07	876	703
8 Georgia.....	115,155.00	3,569,805	43,433.50	39,455	2,582,971	1.38	.02	2,612	989
9 Idaho.....					188,533	17.97	.00	1,205	156
10 Illinois.....	5,525,473.50	171,289,663	34,366,671.64	31,242,429	5,619,163	30.48	5.56	21,983	256
11 Indiana.....	1,272,016.85	39,432,527	23,277,218.85	21,161,108	2,932,752	13.45	7.22	8,358	351
12 Iowa.....	437,177.28	13,552,487	25.30	23	2,601,061	5.21	.00	4,822	539
13 Kansas.....	5,871.50	182,032	5,456.11	4,960	1,713,754	.07	.00	2,392	716
14 Kentucky.....	704,710.25	21,846,010	24,400,217.52	22,182,016	2,502,374	8.73	8.86	3,625	690
15 Louisiana.....	473,026.52	14,663,837	3,941,920.29	3,583,564	1,610,182	9.11	2.23	4,585	351
16 Maine.....					809,349	5.04	.01	1,163	696
17 Maryland.....	1,376,609.75	42,674,910	3,889,628.34	3,536,026	1,354,578	22.17	1.84	4,184	331
18 Massachusetts.....	2,042,992.80	63,332,783	808,961.67	735,420	3,269,425	19.37	.22	4,952	660
19 Michigan.....	1,453,207.25	45,979,417	2,243,213.39	2,039,285	2,821,477	16.30	.72	9,449	299
20 Minnesota.....	1,411,570.14	43,758,670	27.50	25	2,041,121	21.44	.00	7,796	262
21 Mississippi.....					1,807,591	.45	.00	647	2,794
22 Missouri.....	3,704,978.65	114,854,318	1,025,191.48	931,992	3,620,590	31.72	.26	8,626	420
23 Montana.....	460,528.00	14,276,368	2,178.55	1,951	253,582	17.97	.00	2,589	109
24 Nebraska.....	389,820.25	12,054,420	1,861,025.21	1,691,841	1,242,694	9.72	1.36	2,768	451
25 Nevada.....					449,338	20.70	2.43	1,683	29
26 New Hampshire.....	274,733.00	8,516,723	11,779.68	10,709	2,179,575	5.04	.01	917	523
27 New Jersey.....	3,114,712.50	96,556,103	58,641.00	53,310	4,978,278	44.44	.02	10,777	204
28 New York.....	12,572,042.12	389,733,302	5,793,871.16	5,267,156	8,471,366	46.01	.62	34,529	245
29 N. Carolina.....			363,589.98	330,536	2,207,097	19.63*	.15	1,548	1,426
30 N. Dakota.....	44,940.00	1,393,140			371,941	1.66	1.31*	1,830	203
31 Ohio.....	4,058,437.87	125,811,578	9,415,777.46	8,559,798	4,845,313	25.97	1.77	12,722	381
32 Oklahoma.....					921,143	.07	.00	1,688	546
33 Oregon.....	194,230.50	6,021,161	269,295.84	244,814	481,046	12.40	.51	2,454	196
34 Pennsylvania.....	7,050,261.25	218,558,122	6,779,884.19	6,163,531	7,344,652	29.76	.84	19,388	379
35 Rhode Island.....					499,451	24.11	.08	1,811	276
36 S. Carolina.....	5,157.50	159,867	9,228.36	8,389	1,562,040	.10	.01	788	1,982
37 S. Dakota.....					468,000	1.66	1.31*	1,518	308
38 Tennessee.....	255,200.00	7,911,200	1,488,033.33	1,352,757	2,354,880	3.36	.57	2,047	1,102
39 Texas.....	552,976.48	17,142,256	263.68	240	3,553,048	4.82	.00	5,975	595
40 Utah.....					322,531	17.97	.00	1,023	315
41 Vermont.....					400,488	5.04	.01	300	1,335
42 Virginia.....	164,266.68	5,092,277	628,580.90	571,437	2,180,915	2.36	.26	2,023	1,068
43 Washington.....	816,666.68	25,316,677	997.14	906	603,811	37.34	.00	4,183	144
44 W. Virginia.....	293,188.75	9,088,859	228,516.73	207,742	1,117,411	8.13	.19	1,539	726
45 Wisconsin.....	4,569,940.91	141,668,171	2,251,298.83	2,046,635	2,411,317	58.75	.85	12,568	192
46 Wyoming.....					107,838	17.31	.15	778	139
in mil. and naval ser.					106,309	19.63*	1.31*		
1 Alaska.....					74,112	37.34	.00	524	141
2 Arizona.....					143,267	2.05	.00	931	154
3 Dist. of Col.....					324,825	22.17	1.84	958	339
4 †Ind. Terr.....									
5 New Mexico.....	24,525.50	760,275	306.35	279	227,619	2.05	.00	1,150	198
6 †Oklahoma.....									
7 Hawaii.....	14,018.35	434,558	37,426.55	34,024	179,477	2.42	.19	413	435
8 Philippine Is.....									
9 Porto Rico.....									
Total.....	\$56,303,496.68	1,745,408,407	\$128,315,181.45	116,650,165	88,926,000	19.63*	1.31*	245,185	363

*Per capita of population of U. S.

†New State of Oklahoma.

IMPORTS AND EXPORTS

—OF—

MALT LIQUORS, HOPS, BARLEY-MALT, AND RICE MEAL, RICE FLOUR, AND BROKEN RICE

DURING THE FISCAL YEARS BELOW ENUMERATED

A.—Import of foreign beer, ale, porter and other malt liquors for the last ten fiscal years:—

	IN BOTTLES OR JUGS.		IN OTHER COVERINGS	
	Gallons	Value	Gallons	Value
1900....	1,081,818	\$1,079,723	2,228,502	\$647,533
1901....	1,151,891	1,166,123	2,447,555	719,092
1902....	1,198,406	1,161,965	2,553,105	718,383
1903....	1,292,475	1,252,047	2,966,343	835,694
1904....	1,467,756	1,385,818	3,197,955	927,507
1905....	1,362,089	1,285,576	3,836,487	1,119,768
1906....	1,582,619	1,466,228	4,395,032	1,272,627
1907....	2,041,688	1,902,655	5,165,929	1,506,108
1908....	1,960,333	1,829,917	5,564,773	1,634,754
1909....	1,801,043	1,695,747	5,105,062	1,519,660
Total....	40,940,118	\$14,225,799	37,460,743	\$10,901,126

Of the foreign beer, etc., imported in 1909, there were received:

	Gallons.	Value	Gallons	Value
From Austria-Hungary..	3,421	\$ 2,241	2,699,357	\$ 857,057
Belgium.....	2,004	1,973	.....	.....
Denmark.....	1,524	889	.....	.....
Germany.....	44,984	31,788	1,861,331	445,126
Netherlands.....	5,405	3,437	.....	.....
Sweden.....	38,354	25,839	1,321	1,169
United Kingdom.....	1,697,809	1,622,221	540,299	215,399
{ England.....	912,619	888,912	417,736	175,963
{ Scotland.....	15,206	16,054	5,008	2,149
{ Ireland.....	769,984	747,255	117,555	37,287
Canada.....	5,741	5,708	2,304	762
All other countries, less than 1,000 galls.	1,801	1,651	450	147
Total.....	1,801,043	\$1,695,747	5,105,062	\$1,519,660

A½.—Export of foreign beer, ale, porter and other malt liquors for the last ten fiscal years:—

	Gallons	Value
1900.....	7,841	\$6,808
1901.....	8,155	6,454
1902.....	5,147	4,705
1903.....	9,499	7,693
1904.....	5,591	6,074
1905.....	4,972	5,253
1906.....	6,970	5,139
1907.....	13,475	9,557
1908.....	15,269	13,684
1909.....	1,147	955
Total.....	79,066	\$66,320

B.—Export of beer and ale of domestic produce for the last ten fiscal years:—

	IN BOTTLES.		NOT IN BOTTLES.	
	Dozens	Value	Gallons	Value
1900....	1,578,240	\$1,945,059	761,411	\$194,157
1901....	1,351,772	1,643,502	333,673	79,523
1902....	822,899	1,199,293	417,025	90,769
1903....	759,027	1,082,982	400,072	95,758
1904....	540,301	769,432	382,346	84,687
1905....	626,400	932,372	354,097	80,436
1906....	727,731	1,059,584	256,575	57,192
1907....	743,163	1,128,226	356,788	87,114
1908....	643,230	964,207	272,949	55,965
1909....	635,361	964,992	246,525	45,795
Total....	8,428,124	\$11,689,649	3,781,461	\$871,396

C.—Export of beer, ale and porter to the principal foreign countries during the fiscal years ended June 30, 1904, 1905, 1906, 1907, 1908, and 1909.

IN BOTTLES.

COUNTRIES.	1904.		1905.		1906.		1907.		1908.		1909.		TOTAL.	
	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.
Europe: Austr. Hungary	.....	\$.....	30	\$40	.....	\$.....	51	\$65	.....	\$.....	5	\$13	86	\$118
Azores & Madeira Is.	1,128	1,550	850	1,190	851	1,207	1,061	1,440	1,036	1,532	431	602	5,357	7,521
Belgium.....	39	65	31	53	12	20	.....	.....	.....	.....	55	74	137	212
Denmark.....	.....	.....	6	10	.....	.....	.....	.....	.....	.....	6	10	12	20
France.....	65	114	47	80	165	249	498	612	363	505	246	354	1,384	1,914
Germany.....	527	865	350	590	376	520	781	1,044	504	674	933	1,707	3,521	5,400
Gibraltar.....	265	380	520	961	335	611	.....	.....	120	215	75	132	1,315	2,299
Greece.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Italy.....	1,957	2,471	1,883	2,228	4,665	5,638	5,890	6,895	4,232	5,143	3,252	3,875	21,879	26,250
Malta, Gozo, etc.	.....	.....	125	195	16	24	130	185	.....	.....	.....	.....	271	404
Netherlands.....	16	22	.....	.....	12	11	90	105	12	15	.....	.....	130	153
Norway.....	.....	.....	3	5	6	10	.....	.....	.....	.....	.....	.....	9	15
Portugal.....	435	638	405	549	252	399	75	107	100	144	.....	.....	1,267	1,837
Russia in Europe.....	.....	.....	.....	.....	12	20	.....	.....	.....	.....	.....	.....	12	20
Spain.....	6	9	96	180	158	253	1,180	1,450	60	77	3	5	1,503	1,974
Switzerland.....	.....	.....	.....	.....	22	30	66	88	.....	.....	.....	.....	88	118
Turkey in Europe.....	722	853	.....	.....	1,145	1,319	.....	.....	.....	.....	54	63	1,921	2,235
United Kingdom.....	3,351	4,881	3,372	4,210	1,707	2,522	1,885	2,712	594	1,060	.....	.....	10,909	15,385
England.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,792	4,349	2,792	4,349
Scotland.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8	10	8	10
America, Bermuda.....	2,334	3,229	2,196	2,950	2,077	2,887	1,676	2,499	1,810	2,677	2,557	3,652	12,650	17,894
British Honduras.....	5,731	10,295	3,151	5,799	5,291	9,257	9,213	16,481	10,787	19,312	7,334	12,851	41,507	73,995
Nova Scotia, New Brunswick, &c.	1,151	1,382	6,285	8,337	.....	.....	.....	.....	.....	.....	.....	.....	7,436	9,719
Quebec, Ontario, etc.	41,770	54,355	73,850	104,925	.....	.....	.....	.....	.....	.....	.....	.....	115,620	159,280
British Columbia.....	28,587	34,857	25,728	31,268	.....	.....	.....	.....	.....	.....	.....	.....	54,315	66,125
Canada.....	.....	.....	.....	.....	146,012	205,121	211,811	312,016	217,264	301,742	197,987	280,428	773,074	1,099,307
Newfoundland and Labrador.....	85	156	1,395	2,760	505	860	1,070	1,848	1,331	2,390	3,035	4,173	7,421	12,187
Central American States	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Costa Rica.....	8,068	13,910	8,401	14,183	9,645	16,399	8,457	14,559	9,670	17,593	9,063	15,537	53,304	92,181
Guatemala.....	1,291	2,291	1,821	3,321	4,035	7,010	6,367	10,277	7,065	12,898	6,050	10,667	26,629	46,464
Honduras.....	4,867	8,148	5,275	8,866	4,842	8,204	5,015	8,317	6,360	10,257	3,766	6,155	30,125	49,947
Nicaragua.....	7,468	12,560	9,563	15,601	11,992	19,117	7,615	13,414	5,163	9,053	3,988	6,672	45,789	76,417
Panama.....	12,889	21,875	31,291	54,997	75,795	135,903	110,863	204,431	135,789	235,709	167,810	280,334	534,437	933,249
Salvador.....	3,366	5,034	7,294	10,559	3,820	5,390	949	1,288	550	973	1,463	2,474	17,362	25,718

C (continued).—Export of beer, ale and porter to the principal foreign countries during the fiscal years ended June 30, 1904, 1905, 1906, 1907, 1908 and 1909.
IN BOTTLES.

COUNTRIES.	1904.		1905.		1906.		1907.		1908.		1909.		TOTAL.	
	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.
Mexico.....	17,002	\$26,296	20,723	\$39,905	14,198	\$21,532	15,263	\$25,362	19,594	\$27,620	14,913	\$21,357	101,693	\$162,072
Miquelon, Langley, etc..	440	480	181	204	80	82	...	...	65	69	...	...	766	835
West Indies: British....	23,430	36,719	26,389	44,179	24,107	39,333	30,158	49,185	34,906	58,337	31,484	47,447	170,474	275,200
Danish.....	210	263	243	335	445	549	200	245	5	8	6	9	1,109	1,409
Dutch.....	52	78	267	382	280	404	80	104	50	73	24	30	753	1,071
French.....	740	938	996	1,274	694	911	792	969	468	545	407	493	4,097	5,130
Haiti.....	1,887	2,997	984	1,467	1,192	1,866	818	1,457	1,032	1,666	1,306	2,036	7,169	11,489
Santo Domingo....	1,878	2,477	2,814	3,951	6,577	9,623	7,301	11,219	3,164	5,022	4,878	7,403	26,612	39,695
Cuba.....	62,460	95,314	112,484	171,488	157,245	235,520	165,200	240,403	100,665	137,703	78,486	116,713	676,540	997,141
South America: Argentina.....	261	400	.....	.....	202	236	1,650	2,180	4,622	5,866	5,858	7,165	12,593	15,847
Bolivia.....	25	42	.....	.....	.....	.....	180	248	.....	.....	60	83	265	373
Brazil.....	12,487	16,705	989	1,406	13,782	18,454	11,288	15,050	118	158	60	78	38,724	51,851
Chile.....	250	405	245	487	450	685	869	1,214	1,746	2,386	550	879	4,110	6,056
Colombia.....	12,360	18,109	9,528	15,006	6,007	8,961	5,156	7,730	2,965	4,850	2,092	3,161	38,108	57,817
Ecuador.....	4,934	6,449	4,266	5,682	1,467	2,014	1,772	2,478	5,064	8,728	3,218	5,415	20,721	30,766
Guianas: British.....	175	285	123	380	325	532	.....	.....	.....	.....	50	78	785	1,275
Dutch.....	785	1,166	235	335	.....	.....	.....	.....	245	364	.....	.....	1,153	1,765
Peru.....	1,775	2,574	7,888	10,674	15,543	20,756	19,241	25,281	9,943	12,646	4,336	5,814	58,726	77,745
Uruguay.....	50	65	15	25	.....	.....	.....	.....	3,070	3,780	288	409	3,423	4,279
Venezuela.....	59	93	98	150	171	279	155	254	60	79	36	45	579	900
Asia: Aden.....	600	752	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	600	752
China: Chinese Empire.....	69,821	110,397	71,398	109,068	60,041	74,484	24,256	32,316	3,786	5,267	7,090	11,031	236,392	342,563
Japanese.....	13,855	16,721	.....	.....	2,138	2,264	.....	.....	.....	.....	.....	.....	2,138	2,264
Russian.....	2,165	2,749	487	705	160	180	195	238	.....	.....	.....	.....	13,855	16,721
East Indies: British....	300	375	.....	.....	.....	.....	.....	.....	55	76	439	601	3,501	4,549
British, other.....	1,126	1,680	290	450	2,780	3,564	699	994	.....	.....	.....	.....	3,000	3,75
Dutch.....	3,625	5,703	5,735	7,313	720	1,088	.....	.....	779	1,381	757	911	6,431	8,980
French.....	198	388	313	576	195	360	.....	.....	.....	.....	.....	.....	10,080	14,104
Straits Settlements....	.....	.....	.....	.....	.....	.....	.....	.....	295	450	.....	.....	1,001	1,774

C (continued).—Export of beer, ale and porter to the principal foreign countries during the fiscal years ended June 30, 1904, 1905, 1906, 1907, 1908, and 1909.

IN BOTTLES.

COUNTRIES.	1904.		1905.		1906.		1907.		1908.		1909.		TOTAL.	
	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.	Dozens.	Value.
Hong Kong.....	7,380	\$11,523	16,060	\$24,153	20,549	\$27,515	9,525	\$11,666	9,715	\$13,401	5,586	\$8,638	68,815	\$96,896
Japan.....	7,472	11,270	2,056	3,225	4,466	6,046	1,834	2,124	1,140	1,460	726	1,509	17,696	25,634
Korea.....	290	502	3,246	3,532	2,176	3,122	12	25	30	40	1,195	2,148	6,949	9,369
Russia, Asiatic.....	59	102	3,184	4,691	40,286	57,534	23,672	36,215	684	870	.....	.....	67,865	99,412
Turkey in Asia.....	1,860	2,100	2,273	3,006	4,065	4,728	4,793	6,089	3,146	5,076	4,512	5,296	20,649	26,295
Oceania: Australia, Tas-														
mania, New Zealand..	4,906	6,860	564	1,162	1,924	2,836	454	652	1,129	1,698	.....	.....	8,977	13,208
Australia & Tasmania..	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	372	561	372	561
New Zealand.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	160	260	160	260
All other British Ocean-	669	952	526	735	1,641	1,959	570	675	917	1,151	935	1,205	5,258	6,677
French Oceania.....	1,329	2,076	1,195	1,867	948	1,444	658	937	516	763	428	630	5,074	7,717
German Oceania.....	120	181	619	886	250	368	164	247	280	427	168	263	1,601	2,372
Philippine Islands.....	144,278	186,480	137,920	188,941	64,179	81,349	37,866	47,977	26,256	35,046	49,960	74,280	460,459	614,073
Africa: British West..	276	399	365	509	1,200	1,650	1,620	2,400	1,510	1,957	1,624	1,979	6,595	8,894
South.....	4,570	6,490	2,040	2,803	36	57	32	50	.....	.....	.....	.....	6,678	9,400
East.....	3,720	4,710	1,615	2,042	415	519	.....	.....	680	1,015	608	859	7,038	9,145
Canary Islands.....	150	159	150	160	607	719	486	599	340	413	150	160	1,883	2,210
Portuguese Africa.....	2,575	3,128	2,150	2,602	780	940	.....	.....	10	16	3	5	5,518	6,691
Turkey in Africa: Egypt	1,579	1,940	1,908	2,859	1,660	2,140	1,461	1,810	1,390	1,831	1,633	1,904	9,631	12,484
Total.....	540,301	\$769,432	626,400	\$932,372	727,731	\$1,059,584	743,163	\$1,128,226	643,230	\$964,207	635,361	\$964,992	3,916,186	\$5,818,813

C1 (continued).—Export of beer, ale and porter to the principal foreign countries during the fiscal years ended June 30, 1904, 1905, 1906, 1907, 1908, and 1909.
NOT IN BOTTLES.

COUNTRIES.	1904.		1905.		1906.		1907.		1908.		1909.		TOTAL.	
	Gallons.	Value.	Gallons.	Value.	Gallons.	Value.	Gallons.	Value.	Gallons.	Value.	Gallons.	Value.	Gallons.	Value.
Colombia.....	1,123	\$ 306	940	\$ 204	.....	\$.....	.....	\$.....	.....	\$.....	150	\$ 60	2,213	\$ 570
Argentina.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1,450	325
Guianas: British.....	160	46	198	75	1,450	325	.....	.....	.....	.....	.....	.....	358	121
Dutch.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	50	15	.....	.....
Peru.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	400	15
Venezuela.....	150	41	60	21	.....	96	.....	.....	.....	.....	.....	.....	210	96
Hong Kong.....	6,480	2,376	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	6,480	2,376
Russia: Asiatic.....	.....	.....	.....	.....	.....	.....	6	6	.....	.....	.....	.....	.....	6
Philippine Islands.....	19,519	5,187	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	19,519	5,187
Australia, Tasmania, New Zealand.....	2,100	671	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,100	671
All other, etc.....	.....	.....	100	28	.....	27	.....	.....	.....	.....	29	16	.....	16
French Oceania.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	20	8	.....	63
Turkey in Africa.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
(Egypt).....	.....	.....	.....	.....	.....	.....	45	15	.....	.....	.....	.....	45	15
	382,346	\$84,687	354,097	\$80,436	256,575	\$57,192	356,788	\$87,114	272,949	\$55,965	246,525	\$45,795	1,869,280	\$411,189

H O P S.

D.—Imports of Foreign Hops for the last 10 fiscal years.

	Pounds	Value	Duty	Ad valorem rate of duty
1900..	2,589,725	\$713,701	\$310,767	43.54%
1901..	2,606,708	851,008	312,805	36.75%
1902..	2,805,293	833,702	336,635	40.39%
1903..	6,012,510	1,808,491	721,501	39.89%
1904..	2,758,163	1,374,327	330,980	24.08%
1905..	4,339,379	1,980,804	520,725	26.28%
1906..	10,113,989	2,326,982	1,213,679	52.15%
1907..	6,211,893	1,974,900	745,427	37.74%
1908..	8,493,265	1,989,261	1,019,191	51.23%
1909..	7,386,574	1,337,099	886,389	66.29%
Total.....	53,297,499	\$15,990,275	\$6,398,099	

Of the Foreign Hops imported in 1909, there were received:

	Pounds	Value
From Austria-Hungary.....	2,011,406	\$427,649
From Belgium.....	362,771	61,609
From Germany.....	4,937,580	834,232
From United Kingdom (England).....	44,998	7,801
From Canada.....	3,321	759
From The Netherlands.....	26,498	5,049
Total.....	7,386,574	\$1,337,099

E.—Exports of Domestic Hops for the last 10 fiscal years.

	Pounds	Value
1900..	12,639,474	\$1,707,660
1901..	14,963,676	2,466,515
1902..	10,715,151	1,550,657
1903..	7,794,705	1,909,951
1904..	10,985,988	2,116,180
1905..	14,858,612	4,480,666
1906..	13,026,904	3,125,843
1907..	16,809,534	3,531,972
1908..	22,920,480	2,963,167
1909..	10,446,884	1,271,629
Total.....	135,161,408	\$25,124,240

Of the Domestic Hops exported in 1909, there were shipped:

	Pounds	Value
To the United Kingdom.....	9,219,002	\$1,113,812
England..... 9,102,018 lbs. \$1,098,995)		
Scotland..... 78,001 " 10,919)		
Ireland..... 38,983 " 3,898)		
To Canada.....	701,920	89,206
To Mexico.....	7,093	948
To British India.....	30,820	3,114
To Hong Kong.....	16,129	1,891
To Japan.....	6,026	782
To Australia and Tasmania.....	403,371	52,738
To New Zealand.....	26,197	3,400
To Philippine Islands.....	8,150	1,069
To all other countries, less than 5,000 pounds each.....	28,176	4,669
Total.....	10,446,884	\$1,271,629

B A R L E Y .

F.—Importation of Foreign Barley for the last 10 fiscal years.

	Bushels	Value	Duty	Ad valorem rate of duty
1900.....	189,757	\$91,040	\$56,927	62.52%
1901.....	171,004	84,073	51,301	61.02%
1902.....	57,406	33,221	17,222	51.84%
1903.....	56,462	30,201	16,939	56.08%
1904.....	90,708	45,245	27,212	60.14%
1905.....	81,020	39,546	24,306	61.46%
1906.....	18,049	9,803	5,415	55.23%
1907.....	38,319	14,033	11,496	81.92%
1908.....	199,741	143,407	59,922	41.78%
1909.....	2,644	1,440	793	55.08%
Total.....	905,110	\$492,009	\$271,533	

Of the Foreign Barley imported in 1909, there were received:

	Bushels	Value
From Canada.....	2,420	\$1,221
All other countries, less than 1,000 bushels....	224	219
Total.....	2,644	\$1,440

G.—Exportation of Domestic Barley for the last 10 fiscal years.

	Bushels	Value
1900.....	23,661,662	\$11,216,694
1901.....	6,293,207	2,883,565
1902.....	8,714,268	3,995,303
1903.....	8,429,141	4,662,544
1904.....	10,881,627	6,292,914
1905.....	10,661,655	5,585,544
1906.....	17,729,360	8,653,231
1907.....	8,238,842	4,556,295
1908.....	4,349,078	3,205,528
1909.....	6,580,393	4,672,166
Total.....	105,539,233	\$55,723,784

Of the Domestic Barley exported in 1909, there were shipped:

	Bushels	Value
To Belgium.....	67,966	\$50,401
To Netherlands.....	139,788	87,258
To the United Kingdom.....	5,354,180	3,777,000
{ England..... 3,942,941 bush. \$2,775,488		
{ Scotland..... 823,045 " 206,138		
{ Ireland..... 1,088,191 " 795,374		
To Canada.....	115,932	73,227
To Mexico.....	255,982	196,706
To British West Indies.....	255,403	205,520
To French Oceania.....	4,626	3,497
To Canary Islands.....	95,200	68,600
To Portuguese Africa.....	290,799	209,575
To all other countries, less than 1,000 bushels	517	382
Total.....	6,580,393	\$4,672,166

H.—BARLEY-MALT—IMPORTATIONS OF FOREIGN, FOR THE LAST 10 FISCAL YEARS.

	Bushels	Value	Ad valorem rate of duty
1900.....	4,399	\$4,127	47.96%
1901.....	4,580	4,635	44.46%
1902.....	3,019	2,929	46.38%
1903.....	2,468	3,029	36.66%
1904.....	3,465	3,250	47.97%
1905.....	3,298	3,580	41.45%
1906.....	2,458	2,711	40.80%
1907.....	3,362	3,917	38.62%
1908.....	2,625	3,000	39.03%
1909.....	1,592	1,992	35.96%
Total.....	31,293	\$33,170	

The importation, owing to the high duty, has decreased since 1891 to such an extent that it has almost disappeared as a factor in the brewing interest.

I.—RICE—IMPORTATIONS OF FOREIGN, FOR THE LAST 10 FISCAL YEARS.

RICE MEAL, RICE FLOUR AND BROKEN RICE.

	Pounds	Value	Duty	Ad valorem rate of duty
1900.....	23,031,440	\$374,121	\$57,579	15.39%
1901.....	42,601,649	736,854	106,504	14.45%
1902.....	81,984,118	1,330,711	204,960	15.40%
1903.....	91,338,974	1,329,235	228,347	17.17%
1904.....	78,898,615	1,204,092	197,247	16.38%
1905.....	63,075,006	913,867	157,688	17.25%
1906.....	108,079,166	1,616,716	270,198	16.71%
1907.....	138,316,029	2,273,999	345,790	15.20%
1908.....	125,164,190	2,255,136	312,910	13.43%
1909.....	134,119,980	2,336,723	335,300	14.34%
Total.....	886,609,167	\$14,371,454	\$2,216,523	

Of the Foreign Rice Meal, etc., imported in 1909, there were received:

	Pounds	Value
From Austria-Hungary.....	1,298,920	\$25,526
From Belgium.....	109,956	1,702
From France.....	1,836	228
From Germany.....	66,624,798	1,165,598
From Italy.....	129,869	2,370
From the Netherlands.....	31,429,122	553,324
From the United Kingdom (England)....	22,591,242	391,122
From Canada.....	300,000	6,225
From Mexico.....	170,926	5,791
From British Guiana.....	60,000	600
From Chinese Empire.....	1,176,587	19,027
From Hong Kong.....	1,201,328	17,334
From Japan.....	1,701,541	29,298
From Siam.....	7,279,055	118,038
From British Australia and Tasmania.....	44,800	540
Total.....	134,119,980	\$2,336,723

MISCELLANEOUS.

A.—Amounts of Drawback paid by the U. S. on imported Articles withdrawn from warehouses and presumably used in the manufacture of Malt Liquors exported during the years ended June 30, 1908 and 1909.

ARTICLES IMPORTED.	Unit of Quantity.	1908.						1909.					
		Quantities.	Value.	Drawback	Retention.	Drawback Paid.	Quantities.	Value.	Drawback	Retention.	Drawback Paid.	Quantities.	Value.
Barley.			\$	\$	\$	\$		\$	\$	\$	\$		\$
New York, N. Y.	Bushels.	88	....	26.40	.26	26.14	.....	....	3,410.38	34.11	3,376.27	.....	....
St. Louis, Mo.	"	.....	....	.....	....	.....	11,367	....	.....	.....	.....	.....	.....
Total.....		88	....	26.40	26	26.14	11,367	....	3,410.38	34.11	3,376.27	.....	....
Hops.			\$	\$	\$	\$		\$	\$	\$	\$		\$
New York, N. Y.	Pounds.	359	....	43.08	.43	42.65	188.00	....	22.56	.23	22.33	.....	....
St. Louis, Mo.	"	17,773	....	2,131.57	21.54	2,110.03	14,193.63	....	1,703.13	17.23	1,685.90	.....	....
Total.....		18,132	....	2,174.65	21.97	2,152.68	14,381.63	....	1,725.69	17.46	1,708.23	.....	....
Rice.			\$	\$	\$	\$		\$	\$	\$	\$		\$
St. Louis, Mo.	Pounds.	148,039	....	370.11	3.67	366.44	140,212	....	351.12	3.62	347.50	.....	....
Total.....		148,039	....	370.11	3.67	366.44	140,212	....	351.12	3.62	347.50	.....	....

B.—Malt Liquors, exported from the United States, which were manufactured from imported Materials on which Drawback was paid during the years ended June 30, 1908 and 1909.

ARTICLES EXPORTED.	Unit of Quantity	1908.			1909.		
		Quantities.	Drawback	Paid.	Quantities.	Drawback	Paid.
Malt Liquors.			\$	\$		\$	\$
New York, N. Y.	Doz. Qts.	5,118	.....	68.79	2,349.00	22.33	.....
St. Louis, Mo.	"	154,493	.....	2,476.47	133,998.00	5,409.65	.....
Total		159,611	.....	2,545.26	136,347.00	5,431.98	.....

C.—RATES OF DUTIES UNDER VARIOUS TARIFFS ON SUNDRY ARTICLES.

ARTICLES.	UNDER TARIFF OF				
	Old Tariff Chap. XXXIII. Revised Statutes.	March 3, 1883. (Commission's.)	October 1, 1890. (McKinley's.)	August 24, 1894. (Wilson's.)	July 27, 1897. (Dingley's.)
Barley.....	15c. per bushel	10c. per bushel	30c. per bushel	30%	30c. per bushel
Barley-Malt.....	20%	20c. "	45c. "	40%	45c. "
Hops.....	5c. per pound	8c. per pound	15c. per pound	8c. per pound	12c. per pound
Rice (Flour, Meal } and broken).....	20%	20%	1c. "	1c. "	1c. "
Beer in Bottles.....	35c. per gal.	35c. per gal.	40c. per gal.	30c. per gal.	40c. per gal.
Beer not in bottles...	20c. "	20c. "	20c. "	15c. "	23c. "
Distilled Liquors.....	30% on the bottles	30% on the bottles	No separate or additional duty on the bottles.		No sep. or add'l duty, etc.
Tobacco, etc.....	\$2.00 per proof gal.	\$2.00 per proof gal.	\$2.50 per proof gal.	\$1.80 per proof gal.	\$2.60 per proof gal.
	15c., 35c., 50c.,	15c., 35c., 40c., 50c.	35c., 40c., 50c.	35c., 40c., 50c.	35c., 50c., 55c.
	per pound.	75c., \$1.00 per lb.	\$2.00, \$2.75 per lb.	\$1.50, \$2.25 per lb.	\$1.85, \$2.50 per lb.
Cigars, Cheroots, etc.	\$2.50 per lb. & 25%	\$2.50 per lb. & 25%	\$4.50 per lb. & 25%	\$4.00 per lb. & 25%	\$4.50 per lb. & 25%
Wines, sparkling.....	\$6.00 per doz. qts.	\$7.00 per doz. qts.	\$8.00 per doz. qts.	\$8.00 per doz. qts.	\$9.60 per doz. qts.
	\$3.00 " pts.	\$3.50 " pts.	\$4.00 " pts.	\$4.00 " pts.	\$4.80 " pts.
	\$1.50 " 1/2 pts.	\$1.75 " 1/2 pts.	\$2.00 " 1/2 pts.	\$2.00 " 1/2 pts.	\$2.40 " 1/2 pts.
Bottles.....	3c each	.....	.....	.....	.....
Wines in cases.....	25c., 60c. per gal.	\$1.60 per case of 1 doz. q. or 2 doz. p.	\$1.60 per case of 1 doz. q. or 2 doz. p.	\$1.60 per case of 1 doz. q. or 2 doz. p.	\$1.80 per case of 1 doz. q. or 2 doz. p.
	\$1.00 p. g. & 25%	.....	.....	.....	.....
	3c. each	.....	.....	.....	.....
Bottles.....	25c., 60c. per gal.	.....	50c. per gal.	30c. per gal.	40c. per gal.
Wines in casks.....	\$1.00 p. g. & 25%	.....	.....	50c.	45c. per gal.
	.....	.....	.....	.....	60c.

Note.—Under the Act approved March 8, 1902, the duties on articles and merchandise from the Philippine Islands are 75% of the Dingley Tariff, and under the convention entered into with Cuba, proclaimed by the President December 17, 1903, a reduction of 20% from the Dingley duties is allowable on articles and merchandise from Cuba.



